

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Task Force BPO, LLC v. Ava Consulting, LLC and Remko
Bloemhard

Task Force BPO · No. 3:24-CV-53-TAV-JEM · Decided April 22, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee directs the Clerk to enter default against corporate defendant AVA Consulting, LLC. The court concludes that AVA failed to defend the action by failing to obtain replacement counsel after multiple opportunities and by failing to respond to the plaintiff’s application for default.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Thomas A. Varlan
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	April 22, 2026
DOCKET	3:24-CV-53-TAV-JEM
DISPOSITION	other
PROCEDURAL POSTURE	Following removal and the filing of an answer, the Court conducted a sua sponte review after AVA Consulting, LLC's counsel withdrew. AVA failed to obtain replacement counsel despite two court-ordered opportunities and failed to respond to the plaintiff's application for entry of default.
STANDARD OF REVIEW	Sua sponte review of the record under Federal Rule of Civil Procedure 55(a).
PRECEDENTIAL VALUE	Unpublished district court memorandum opinion and order; persuasive rather than precedential.

TOPICS

- default
- civil procedure
- limited liability companies
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a corporate defendant that failed to obtain licensed replacement counsel after repeated court orders and warnings, and failed to otherwise defend the action, was subject to entry of default under Federal Rule of Civil Procedure 55(a).

HOLDINGS

1. A corporate defendant that fails to obtain licensed counsel after repeated court orders and warnings, and fails to respond to an application for default, has failed to otherwise defend the action and is subject to entry of default under Rule 55(a).

KEY QUOTATIONS

“Under Federal Rule of Civil Procedure 55(a), “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.”” (3)

“Accordingly, and in consideration of defendant AVA’s failure to defend this matter, the Clerk of Court is DIRECTED to enter default against defendant AVA.” (3)

FACTUAL BACKGROUND

AVA Consulting, LLC and Remko Bloemhard removed the civil action and initially filed a collective answer. After their attorneys withdrew, AVA, a corporate entity, remained without licensed counsel despite two orders giving it opportunities to retain replacement counsel and warnings that default could result. AVA also failed to respond to the plaintiff's application for entry of default.

PROCEDURAL HISTORY

Defendants removed the action on February 8, 2024, and filed a collective answer. Defense counsel later withdrew, and the Court twice ordered corporate defendant AVA Consulting, LLC to retain licensed counsel, warning that failure to do so could result in default and default judgment. After AVA failed to secure counsel and failed to respond to the plaintiff's application for default, the Court directed the Clerk to enter default against AVA.

DISPOSITION

other

CASES CITED

- In re Classicstar Mare Lease Litigation, No. 5:07-cv-353, 2009 WL 1468594, at *1 (E.D. Ky. May 13, 2009)
- GCIU-Emp. Ret. Fund v. Amerigraph, LLC, No. 2:06-CV-1072, 2008 WL 762082, at *2 (S.D. Ohio Mar. 20, 2008)

- Joe Hand Promotions, Inc. v. Acord, No. 2:18-CV-01014, 2019 WL 1277168, at *1 (S.D. Ohio Feb. 20, 2019)
- Brittney Gobble Photography, LLC v. Wenn Ltd., No. 3:16-CV-306, 2019 WL 2446997, at *5 (E.D. Tenn. Feb. 19, 2019)
- Brittney Gobble Photography, LLC v. USA Ent. News, Inc., No. 3:16-CV-306, 2019 WL 1125644 (E.D. Tenn. Mar. 12, 2019)

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