

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Advanced Private Police LLC v. Blackout Private Police LLC

Case No. 25-cv-0111-bhl (E.D. Wis. Mar. 5, 2026) · No. 25-cv-0111-bhl · Decided March 5, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin orders supplemental briefing and sets a default judgment hearing in Advanced Private Police LLC v. Blackout Private Police LLC. The court directs the plaintiff to provide facts and legal authority supporting its Lanham Act, unfair competition, and tortious-interference claims, as well as evidence supporting its requested relief and damages.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	March 5, 2026
DOCKET	25-cv-0111-bhl
DISPOSITION	other
PROCEDURAL POSTURE	After the defendant failed to appear and the Clerk entered default, the plaintiff moved for default judgment. The court set an evidentiary hearing and ordered the plaintiff to file a supplemental brief addressing liability and requested relief.
STANDARD OF REVIEW	On a motion for default judgment, well-pleaded allegations relating to liability are taken as true, but allegations concerning the amount of damages ordinarily are not.
PRECEDENTIAL VALUE	Unpublished interlocutory district-court order; limited precedential value.

TOPICS

- default judgment
- default
- trademark infringement
- damages
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether plaintiff's sparse motion for default judgment adequately established liability on the claims alleged in the complaint.
2. What supplemental factual and legal materials plaintiff must provide to support default judgment and its requested damages, costs, and other relief.

HOLDINGS

1. Upon default, well-pleaded allegations of the complaint relating to liability are taken as true.
2. Allegations concerning the amount of damages are ordinarily not taken as true upon default; the plaintiff must summarize its requested relief and provide supporting evidence.

KEY QUOTATIONS

“Upon default, the well-pled allegations of the complaint relating to liability are taken as true”

“[Allegations] relating to the amount of damages suffered ordinarily are not [taken as true].”

FACTUAL BACKGROUND

Advanced Private Police LLC alleged that Blackout Private Police LLC violated the Lanham Act and committed unfair competition and tortious interference with a contract under state law. Defendant did not appear after service by publication and did not respond to the motion for default judgment. Plaintiff's one-page motion relied on the existing record and included declarations concerning damages and costs, but supplied sparse facts and legal analysis supporting liability and relief.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging Lanham Act, unfair-competition, and state-law tortious-interference claims. After difficulties serving defendant, the court authorized service by publication; defendant did not appear. The Clerk entered default on November 9, 2025. Plaintiff moved for default judgment on January 21, 2026, and the court ordered supplemental briefing before a scheduled default-judgment hearing.

DISPOSITION

other

CASES CITED

- Wehrs v. Wells, 688 F.3d 886, 892 (7th Cir. 2012)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN ADVANCED
PRIVATE POLICE LLC, Plaintiff, Case No. 25-cv-0111-bhl v. BLACKOUT PRIVATE POLICE
LLC, Defendant.

ORDER FOR SUPPLEMENTAL BRIEFING

On January 22, 2025, Plaintiff Advanced Private Police LLC filed its complaint against Defendant Blackout Private Police, alleging that the defendant violated the Lanham Act, 15 U.S.C. 1125(a), and engaged in unfair competition and tortious interference with a contract in violation of state law.

(ECF No. 1.) Magistrate Judge Stephen C. Dries was assigned to the case. On April 22, 2025, Plaintiff filed a motion for additional time to serve the defendant, indicating difficulties serving the defendant and requesting permission to serve through publication. (ECF No. 4.)

On May 12, 2025, the Court granted the motion, and on May 15, 2025, Plaintiff filed proof of service, showing that the Milwaukee Journal Sentinel published notice of the suit on April 21, May 3, and May 10, 2025. (ECF Nos. 6 & 7.)

The defendant never appeared, and on November 9, 2025, after prompting from the Court, Plaintiff requested Clerk's entry of default, which the Clerk entered the same day. (ECF Nos. 8 & 9.) On January 21, 2026, Plaintiff filed a motion for default judgment. (ECF No. 14.)

The motion is one page, indicates that Plaintiff "relies upon the record in this case," and includes two declarations concerning damages and costs. (ECF No. 14 at 1; ECF Nos. 14-1 & 14-2.) Plaintiff requests an evidentiary hearing on the motion. (ECF No. 14.)

The defendant never responded to the motion, and on February 20, 2026, the case was reassigned from the magistrate judge. The Court will set an evidentiary hearing for April 13, 2026 at 1:30 p.m. Given the sparse information supplied within Plaintiff's motion, the Court will order Plaintiff to provide supplemental materials no later than April 6, 2026.

The supplement should include facts and law explaining how the allegations set forth in the complaint establish Plaintiff's claims. See *Wehrs v. Wells*, 688 F.3d 886, 892 (7th Cir. 2012) ("Upon default, the well-pled allegations of the complaint relating to liability are taken as true..."). Plaintiff should also summarize its request for relief and any evidence supporting that request.

See *id.* ("[Allegations] relating to the amount of damages suffered ordinarily are not [taken as true]"). Accordingly, IT IS HEREBY ORDERED that a Default Judgment Hearing is set for April 13, 2026 at 1:30 p.m. in Courtroom 320, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Judge Brett H. Ludwig.

On or before April 6, 2026, Plaintiff must file a supplemental brief. The supplement must include facts and law explaining how the allegations set forth in the complaint establish Plaintiff's claims and a summary of summarize its request for relief and any evidence supporting that request. Dated at Milwaukee, Wisconsin on March 5, 2026. s/ Brett H. Ludwig BRETT H. LUDWIG United States District Judge

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