

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF KENTUCKY  
PIKEVILLE DIVISION

CIVIL ACTION NO. 83-366

UNITED STATES OF AMERICA

PLAINTIFF

V.

JUDGMENT

INCREDIBLE HULL COAL CO.,

DEFENDANT

\* \* \* \* \*

Plaintiff having requested that the clerk enter a judgment by default pursuant to Rule 55(b)(1), Federal Rules of Civil Procedure; and it appearing from the record herein that a default was entered against defendant Incredible Hull Coal Co. on January 30, 1984, that defendant has failed to answer or defend this action as required by law, that defendant is not an infant or incompetent person, and that plaintiff's claim is for the sum of \$58,950.00 in civil penalties, and the sums of \$4,044.06 for reclamation fees and \$2,198.66 for pre-judgment interest.

IT IS THEREFORE ORDERED AND ADJUDGED that plaintiff recover of defendant Incredible Hull Coal Co. the sum of \$65,192.72 with interest thereon at the rate of 11.74 percent per annum from the date of this judgment, together with the costs of this action. This action is now DISMISSED.

This 1st day of June, 1984.

W. W. Lenthack  
United States District Judge

Prepared by:

LOUIS DeFALAISE  
United States Attorney

By: R. Anthony Welch  
R. ANTHONY WELCH  
Special Assistant U. S. Attorney

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
PIKEVILLE

CIVIL ACTION NO. 83-366

UNITED STATES OF AMERICA

PLAINTIFF,

VS:

ORDER

INCREDIBLE HULL COAL COMPANY

DEFENDANT.

\* \* \* \* \*

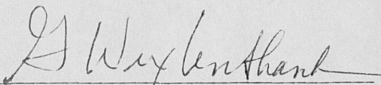
The record reflects that the defendant is in default, as noted by the clerk on January 30, 1984, and that the plaintiff is entitled to a default judgment against the defendant, entered simultaneously herewith.

The court being so advised,

IT IS HEREBY ORDERED, as follows:

1. Pursuant to the Federal Rules of Civil Procedure, default judgment is entered against the defendant.
2. The defendant is given 30 days from the date of this order to appropriately move to redocket this action and SHOW CAUSE why the default judgment should be set aside.
3. This action is DISMISSED and STRICKEN from the Court's active docket.

This 1st day of June, 1984.

  
G. WIX UNTHANK, JUDGE