



U.S. Bankruptcy Court, District of Minnesota

**Rule 7055-1. Default; Default Judgment**

A party seeking default judgment shall:

- (a) First, file a request by affidavit or letter for the clerk to enter default against any party who has failed to plead or otherwise defend; and
- (b) Second, after the clerk has entered the party's default, serve on any party in default and file:
  - 1) a request for default judgment; 2) an affidavit of default stating that no defense or other response of any kind has been received or, if one has been received, detailing the defense or other response received; 3) an affidavit of identification of the defaulting party including address and military or infancy or competence status; 4) an affidavit on the merits and the amount due including costs and disbursements by a person with personal knowledge; and 5) proposed findings of fact, conclusions of law and order for judgment. If the summons and complaint were served by mail and then returned by the postal service, the party seeking judgment shall disclose that to the court by affidavit. If the request for default judgment was served by mail and then returned by the postal service, the party seeking judgment shall disclose that to the court. The court may, in its discretion, hold a hearing before entry of default judgment.

[Effective April 15, 1997. Amended effective January 1, 2002; October 1, 2019.]