

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

FAIR HOUSING CENTER OF CENTRAL  
INDIANA, INC.; and JESSICA CARLTON, in  
her capacity as personal representative of  
the estate of Carolyn McGuffin,

Plaintiffs,

v.

CAROLYN SMITLEY, individually and as  
trustee of the Smitley Family Trust,

Defendant.

Case No. 1:16-cv-880-WTL-DML

**MOTIONS FOR ENTRY OF DEFAULT JUDGMENT AS TO DEFENDANT  
CAROLYN SMITLEY IN HER CAPACITY AS TRUSTEE OF THE SMITLEY  
FAMILY TRUST AND TO SET DAMAGES HEARING**

Plaintiffs hereby move for entry of a default judgment in favor of plaintiffs and against defendant Carolyn Smitley in her capacity as trustee of the Smitley family Trust. Plaintiffs also hereby move for issuance of an order setting a damages hearing with regard to Carolyn Smitley in her capacity as trustee of the Smitley Family Trust on March 12, 2018, at 9:00 a.m.

There is good cause to grant these motions for the following reasons:

First, plaintiffs sued Smitley on April 19, 2016, individually and as trustee of the Smitley Family Trust. (Dkt. 1, 36). Smitley, individually and as trustee, answered on June 15, 2016. (Dkt. 15).

Second, on December 27, 2017, the Court entered default against Smitley in her capacity as trustee of the Smitley Family Trust only. (Dkt. 69).

Third, on January 10, 2018, the Court entered a default judgment against Smitley in her individual capacity only. (Dkt. 71). In that same order, the Court set a damages hearing for March 12, 2018, at 9:00 a.m. (*Id.*).

Fourth, by this motion, plaintiffs seek to coordinate the presentation of evidence in one hearing, set for March 12, 2018, at 9:00 a.m., as to their claims for relief against Smitley, individually and in her capacity as trustee of the Smitley Family Trust.

Accordingly, there is good cause to grant these motions.

Dated: January 26, 2018.

Respectfully submitted,

s/ Thomas E. Crishon

Thomas E. Crishon (No. 28513-49)  
Melissa L. Keyes (No. 30152-49)  
INDIANA DISABILITY RIGHTS  
4701 N. Keystone Ave., Suite 222  
Indianapolis, IN 46205  
317/722-5555  
Fax: 317/722-5564  
tcrishon@indianadisabilityrights.org  
mkeyes@indianadisabilityrights.org

s/ Christopher Brancart

Christopher Brancart (CA128475)  
BRANCART & BRANCART  
Post Office Box 686  
Pescadero, CA 94060  
650/879-0141  
Fax: 650/879-1103  
cbrancart@brancart.com

Attorneys for Plaintiffs

### Certificate of Service

On January 26, 2018, I served all parties by filing with the Court's CM/ECF system and by first-class mail the attached document, **MOTIONS FOR ENTRY OF DEFAULT JUDGEMENT AS TO DEFENDANT CAROLYN SMITLEY IN HER CAPACITY AS TRUSTEE OF THE SMITLEY FAMILY TRUST AND TO SET DAMAGES HEARING.**

The CM/ECF system delivered the document by email to:

Melissa L. Keyes  
INDIANA DISABILITY RIGHTS  
4701 N. Keystone Ave., Suite 222  
Indianapolis, IN 46205  
mkeyes@indianadisabilityrights.org

Christopher Brancart  
BRANCART & BRANCART  
P.O. Box 686  
Pescadero, CA 94060  
cbrancart@brancart.com

The document was sent by first-class mail to:

Carolyn Smitley  
7309 S. Arlington Avenue  
Indianapolis, IN 46237

s/ Thomas E. Crishon  
Thomas E. Crishon