

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

BENJAMIN ROBERTS,
Plaintiff,

v.

SOPHIEN BENNACEUR, et al.,
Defendants.

:
:
:
:
:
:
:

No. 3:12-cv-01222 (JAM)

ORDER AND CLARIFICATION OF ENTRY OF FINAL JUDGMENT

On the basis of the Court’s review of the parties’ letter submissions, the Court concludes that its ruling of March 31, 2015, and its separate docket entry advising that “judgment shall enter” against defendants Sophien and Imed Bennaceur satisfies the final-judgment and separate-order requirements of Fed. R. Civ. P. 54(b) and 58(a). The Court does not believe that Sophien and Imed Bennaceur were or could have been under any misimpression that judgments had not entered against them. For this reason, the Court declines to correct the certification of judgment issued by the Clerk of Court and that has been relied upon by plaintiff in his efforts to enforce the judgment. Of course, the better course may have been for plaintiff to file a request for judgment to be set out in a separate document pursuant to Fed. R. Civ. P. Rule 58(d).

In the event that there is any continuing claim of ambiguity and pursuant to Fed. R. Civ. P. 60(a), this Order itself constitutes an additional separate document pursuant to Rule 58(a). As set forth in this Court’s prior docket entry (Doc. #276), it is adjudged and ordered that default judgment shall enter in favor of plaintiff and against both Sophien and Imed Bennaceur as to Counts II (violation of the Connecticut Wage Statute), IV (Fraud), VI (Violation of § 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5), VII (Breach of Fiduciary Duties), and VIII

(Conversion), and Count XI (Constructive Trust) is converted into a request for relief. Plaintiff is awarded default damages in the amount of \$8,136,222.60.

In addition, the Court concludes pursuant to Fed. R. Civ. P. 54(b) and in light of the inherent purposes of a default judgment to preclude further delay, that there is no just reason for delay such that final judgment shall enter as indicated above against defendants Sophien and Imed Bennaceur.

It is so ordered.

Dated at Bridgeport, Connecticut this 24th day of June 2015.

/s/ **Jeffrey Alker Meyer**

Jeffrey Alker Meyer

United States District Judge