
SO ORDERED,



A handwritten signature in black ink, reading "Selene D. Maddox".

Judge Selene D. Maddox

United States Bankruptcy Judge

The Order of the Court is set forth below. The case docket reflects the date entered.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

IN RE:)	
)	
UNITED FURNITURE INDUSTRIES,)	CASE NO. 22-13422-SDM
INC., et al. ¹)	Chapter 11
)	Jointly Administered
Debtors.)	
)	
)	
DEREK A. HENDERSON, Liquidating)	PLAINTIFF
Trustee for United Furniture Industries,)	
Inc., et al., Pursuant To The <i>Liquidating</i>)	
<i>Trust Agreement</i> , Dated March 30, 2024)	
)	
vs.)	Adv. Proc. No. 25-01027-SDM
)	
QUALITY FURNITURE N HOME)	
DESIGN INC.)	DEFENDANT

¹ The Debtors in these Chapter 11 cases, and the last four digits of each Debtor's federal tax identification number, are as follows: United Furniture Industries, Inc. (2576); United Furniture Industries NC, LLC (9015); United Furniture Industries CA, Inc. (9966); FW Acquisition, LLC (2133); Furniture Wood, Inc. (9186); United Wood Products, Inc. (1061); Associated Bunk Bed Company (0569); UFI Royal Development, LLC (8143); UFI Exporter, Inc. (6518); UFI Transportation, LLC (9471); and LS Logistics, LLC (7004).

**AGREED ORDER SETTING ASIDE CLERK'S ENTRY OF DEFAULT
AND DEFAULT JUDGMENT**

THIS CAUSE came before the Court on the *Motion to Set Aside Default Judgment* (“Motion”) [Dkt. No. 12] filed by Defendant Quality Furniture N Home Design Inc. (“Defendant”) in the above-captioned adversary proceeding, seeking to set aside that certain *Order Granting Default Judgment* (“Default Judgment”) entered by the Court on April 14, 2025. [Dkt. No. 10]. The Court, being advised that the parties have agreed to set aside the Default Judgment, finds as follows:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
3. Derek A. Henderson, Liquidating Trustee for United Furniture Industries, Inc. *et al.*, Pursuant to the *Liquidating Trust Agreement*, Dated March 30, 2024 (“Trustee” or “Plaintiff”) filed its Complaint against Defendant for Collection and Turnover of Property of the Estate and Related Relief (“Complaint”) on February 7, 2025. [Dkt. No. 1].
4. A Summons was issued by the Clerk and served on February 10, 2025, via First Class United States Mail, postage fully pre-paid, addressed to Defendant’s Registered Agent, Alia Husein, at the following address: 4535 N. Black Stone Ave., Fresno, California 93726.
5. Plaintiff filed its *Certificate of Service* regarding the Complaint and service of the Summons on February 10, 2025. [Dkt. No. 3].
6. Plaintiff filed its *Application to Clerk for Entry of Default* on March 21, 2025. [Dkt. No. 4].

7. On March 25, 2025, the Clerk entered the following Minute Entry on the Docket: “The record reflects service in compliance with Rule 7004 and default as to defendant.” [Dkt. No. 5]. The same day, the Clerk entered the *Entry of Default*. [Dkt. No. 6].

8. Thereafter, on April 8, 2025, Plaintiff filed a *Motion for Entry of Default Judgment* (“Motion for Default”) because the Defendant had failed to file an answer or otherwise respond to the Complaint within the time prescribed by the Federal Rules of Civil Procedure, made applicable to adversary proceedings by the Federal Rules of Bankruptcy Procedure. [Dkt. No. 8].

9. After Plaintiff filed the Motion for Default but before the Court entered the Default Judgment, counsel for Defendant filed a *Notice of Appearance*. [Dkt. No. 9].

10. The Court entered the Default Judgment on April 14, 2025 [Dkt. No. 10], and three days thereafter, on April 17, 2025, Defendant filed the instant Motion. [Dkt. No. 12].

11. In the Motion, Defendant noted that it did not receive the Complaint or Summons but did receive the Clerk’s Entry of Default. *See* Motion, ¶ 8. Defendant further noted that it did not retain counsel until after the Entry of Default had been issued by the Clerk. *Id.*

12. The Court issued a Notice of Hearing that the Motion would come on before the Court for Hearing on May 20, 2025 at 10:00 a.m. [Dkt. No. 13].

13. Now, the Parties, in an effort to avoid expense associated with the Hearing, have agreed to set aside the Entry of Default and Default Judgment.

IT IS, THEREFORE, ORDERED that the Entry of Default, issued on March 25, 2025 [Dkt. Nos. 5 and 6] is **ORDERED TO BE SET ASIDE**;

IT IS, FURTHER, ORDERED that the Default Judgment, issued on April 14, 2025 [Dkt. No. 10] is **ORDERED TO BE SET ASIDE**; and

IT IS, FURTHER, ORDERED that Defendant shall have seven (7) days from the date of the entry of this Order to respond to the Complaint.

END OF ORDER

Order Submitted by:

/s/ Locke Houston Waldrop

Locke Houston Waldrop (MS Bar No. 104951)

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.**

165 Madison Avenue, Suite 2000

Memphis, Tennessee 38103

Telephone: 901.526.2000

Facsimile: 901.577.2303

Email: lwaldrop@bakerdonelson.com

Counsel for Plaintiff, Derek A. Henderson

Order Agreed to by:

/s/ Heidi S. Milam (w/ permission by LHW)

Heidi S. Milam (MS Bar No. 9813)

P.O. Box 1169

Southaven, Mississippi 38671

Telephone: 662.349.2322

Email: Heidi.milam@yahoo.com

Henderson,
Plaintiff
Quality Furniture N Home Design Inc.,
Defendant

Adv. Proc. No. 25-01027-SDM

CERTIFICATE OF NOTICE

District/off: 0537-1

User: autodocke

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Date Rcvd: May 13, 2025

Form ID: pdf0003

Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 15, 2025:

Recip ID	Recipient Name and Address
pla	+ Derek A. Henderson, 1765-A Lelia Drive, Suite 103, Jackson, MS 39216-4820
dft	+ Quality Furniture N Home Design Inc., 4535 N. Black Stone Ave, Fresno, CA 93726-1906

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	+ Email/Text: fchildress@bakerdonelson.com	May 13 2025 23:24:00	E. Frank Childress, Jr., BAKER, DONELSON, BEARMAN,, 165 Madison Avenue, Suite 2000, Memphis, TN 38103-2799

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 15, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 13, 2025 at the address(es) listed below:

Name	Email Address
Anna Claire Henderson	on behalf of Plaintiff Derek A. Henderson annaclaire@derekhendersonlaw.com
Derek A. Henderson	derek@derekhendersonlaw.com
Heidi S Milam	

District/off: 0537-1

User: autodocke

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Date Rcvd: May 13, 2025

Form ID: pdf0003

Total Noticed: 3

on behalf of Defendant Quality Furniture N Home Design Inc. heidi.milam@yahoo.com
heidismilam@gmail.com;rosetaylor2322@yahoo.com;s.hr70868@notify.bestcase.com

Locke Houston Waldrop

on behalf of Plaintiff Derek A. Henderson lwaldrop@bakerdonelson.com jcarroll@bakerdonelson.com

R. Spencer Clift, III

on behalf of Plaintiff Derek A. Henderson sclift@bakerdonelson.com
jcarroll@bakerdonelson.com;fchildress@bakerdonelson.com

U. S. Trustee

USTPRegion05.AB.ECF@usdoj.gov

TOTAL: 6