

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

STATE OF INDIANA)	
<i>ex rel.</i> Steve Carter, Attorney General of Indiana,)	
and the CITY OF EAST CHICAGO)	
<i>ex rel.</i> Steve Carter, Attorney General of Indiana,)	
)	Cause No. 3:04-CV-506-JTM-CAN
Plaintiffs,)	
v.)	
)	
ROBERT A. PASTRICK, <i>et al.</i> ,)	
)	
Defendant.)	

APPLICATION FOR CLERK'S ENTRY OF DEFAULT

Plaintiffs, by counsel, Patrick M. Collins, Special Deputy Attorney General, urges the Clerk, pursuant to Fed.R.Civ.P. 55, to enter default against the defendant Robert A. Pastrick and shows the Court as follows:

1. On August 3, 2004, the plaintiffs filed the complaint in this action and duly served the defendant with a copy of the complaint. Docket Entry No. 252. The defendant filed an answer and counterclaim on September 28, 2005. Docket Entry No. 221.
2. Defendant Pastrick has been represented by counsel throughout the pendency of this case.
3. On February 12, 2009, the Court set the jury trial in this case for May 26, 2009. Docket Entry No. 502.
4. On May 20, 2009, the defendant filed an Application for Entry of Default (Docket Entry 543) and Motion to Dismiss Counter-Claim (Docket Entry 544).

5. At a telephonic status conference held by the Court on May 21, 2009, Attorney Michael Bosch, counsel for the defendant, advised the Court that the defendant would not appear for the jury trial scheduled for May 26, 2009 or otherwise defend the case and that the defendant understood that the plaintiffs would move for the entry of default as to liability. Docket Entry 546.

6. At the time set for trial on May 26, 2009, the defendant and his counsel failed to appear before the Court.

7. Based on the foregoing, pursuant to Fed. R. Civ. Proc. 55(a), the Clerk should enter default against Robert A. Pastrick.

WHEREFORE, Plaintiffs respectfully request that the Clerk enter default against Robert A. Pastrick and that they be granted all other relief that is just and proper in the premises.

Respectfully submitted,

GREGORY ZOELLER
Indiana Attorney General

By: /s/ Patrick M. Collins
Patrick M. Collins
Special Deputy Attorney General

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

STATE OF INDIANA)	
<i>ex rel.</i> Steve Carter, Attorney General of Indiana,)	
and the CITY OF EAST CHICAGO)	
<i>ex rel.</i> Steve Carter, Attorney General of Indiana,)	
)	Cause No. 3:04-CV-506-JTM-CAN
Plaintiffs,)	
v.)	
)	
JAMES HAROLD FIFE, III,)	
)	
Defendant.)	

APPLICATION FOR CLERK'S ENTRY OF DEFAULT

Plaintiffs, by counsel, Patrick M. Collins, Special Deputy Attorney General, urges the Clerk, pursuant to Fed.R.Civ.P. 55, to enter default against the defendant, James Harold Fife, III and shows the Court as follows:

1. On August 3, 2004, the plaintiffs filed the complaint in this action and duly served the defendant with a copy of the complaint. Docket Entry No. 261. The defendant filed an answer on September 28, 2005. Docket Entry No. 204.
2. On February 12, 2009, the Court set the jury trial in this case for May 26, 2009. Docket Entry No. 502.
3. At a telephonic status conference held by the Court on May 21, 2009, the defendant, James Harold Fife, III, advised the Court that he would not appear for the jury trial scheduled for May 26, 2009 or otherwise defend the case and that he understood that the plaintiffs would move for the entry of default as to liability. Docket Entry 546.

4. At the time set for trial on May 26, 2009, the defendant failed to appear before the Court.

5. Based on the foregoing, pursuant to Fed. R. Civ. Proc. 55(a), the Clerk should enter default against James Harold Fife, III.

WHEREFORE, Plaintiffs respectfully request that the Clerk enter default against James Harold Fife, III, and that they be granted all other relief that is just and proper in the premises.

Respectfully submitted,

GREGORY ZOELLER
Indiana Attorney General

By: /s/ Patrick M. Collins
Patrick M. Collins
Special Deputy Attorney General