

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

_____)	
AF HOLDINGS, LLC,)	Civil Action No. 3:12-cv-01401-JBA
)	
Plaintiff/Counterdefendant,)	
)	
v.)	
)	JULY 26, 2013
ELLIOT OLIVAS,)	
)	
Defendant/Counterplaintiff.)	
_____)	

REQUEST TO ENTER DEFAULT

Defendant/Counterplaintiff Elliot Olivas, requests the Clerk to enter the default of Plaintiff/Counterdefendant AF Holdings, LLC. This request is made pursuant to Fed.R.Civ.P. 55(a). In support of this request, the Defendant says:

1. On October 1, 2012, Plaintiff instituted this action against the Defendant alleging copyright infringement, contributory infringement and civil conspiracy.
2. On January 4, 2013, Plaintiff completed service on the Defendant.
3. On January 25, 2013, the Defendant filed and served his Answer and Counterclaims upon the Plaintiff (ECF No. 10).
4. On February 14, 2013, Plaintiff filed a Motion to Strike the Answer and Counterclaims (ECF No. 14) and a Motion to Dismiss the Counterclaims (ECF No. 15).
5. On February 15, 2013, the Court denied the Plaintiff's Motion to Dismiss without prejudice for failure to comply with the Court's pre-filing conference requirement (ECF No. 16).
6. On March 20, 2013, a pre-filing conference was held before this Court. During the conference, Plaintiff's Motion to Strike the Answer and Counterclaims was denied. Plaintiff also represented it would be re-filing a motion to dismiss Defendant's counterclaims.
7. On March 21, 2013, the Court issued a Scheduling Order requiring Plaintiff to file its Motion to Dismiss by April 4, 2013 (ECF No. 23).
8. To date, the Plaintiff has neither answered the Complaint nor indicated to Defendant any intention to do so, and the time for answering the Complaint has expired.

9. Plaintiff has failed to Answer Defendant's Counterclaims within the time allotted under Rule 12(a)(1) of the Federal Rules of Civil Procedure.

WHEREFORE, Defendant seeks the entry of Default in this matter.

Dated: July 26, 2013

Respectfully,

s/ Jason Sweet
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Counsel for Elliot Olivas

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2013, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants.

s/ Jason Sweet
Jason E. Sweet