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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

15 MAURICETTE DEROME; PIERRE DANIOU;
 16 MARTINE DANIOU; RAYMOND COLSON;
 17 JACQUELINE COLSON; GERARD PELLE;
 18 MONIQUE PELLE; YVES-MARIE VINARD;
 19 JACQUES MARCHAND; CHANTAL
 20 MARCHAND; MARIE BEAUBERNARD;
 21 CHRISTIANE GENTIL; DANY CHARLES;
 22 MARTINE CHARLES; and LUCETTE BESSON,

CASE NO: 2:11-CV-01676-PMP-VCF

**MOTION FOR ENTRY OF ORDER
 OF DEFAULT AND DEFAULT
 JUDGMENT**

Plaintiffs,

vs.

23 BUSCO, INC. D/B/A/ ARROW STAGE LINES;
 24 BONJOUR USA; ROBERT ALAN
 25 DALLENBACH; NABIL CHEHMAT and DOES 1-
 26 100, inclusive.

Defendants.

1 COME NOW Plaintiffs MAURICETTE DEROME, PIERRE DANIYOU, MARTINE
2 DANIYOU, RAYMOND COLSON, JACQUELINE COLSON, GERARD PELLE, MONIQUE
3 PELLE, YVES-MARIE VINARD, JACQUES MARCHAND, CHANTAL MARCHAND,
4 MARIE BEAUBERNARD, CHRISTIANE GENTIL, DANY CHARLES, MARTINE
5 CHARLES, and LUCETTE BESSON ("Plaintiffs"), through their undersigned counsel of
6 record, and hereby move this court for entry of an order of default and default judgment against
7 Nabil Chehmat pursuant Rule 55 of the Federal Rules of Civil Procedure.
8

9 This request is based on the attached Affidavit of Stuart R. Fraenkel (Ex. 1), Order for
10 Service by Publication (Ex. 2), and Affidavit of Publication (Ex. 3) which show that:
11

12 1. Defendant Nabil Chehmat was served with the summons in this action via
13 publication pursuant to Nev. Rule Civ. P. 4(e)(1).

14 2. Judge Philip M. Pro ordered service by publication on April 9, 2012.

15 3. Defendant Nabil Chehmat was properly served by publication.

16 4. Defendant Nabil Chehmat has failed to plead or otherwise respond to the
17 complaint in this action.
18

19 5. The applicable time limit for Defendant Nabil Chehmat to respond to the
20 complaint has expired.
21

22 6. Defendant Nabil Chehmat is not an infant or incompetent person.
23


24 RESPECTFULLY SUBMITTED,

25 Dated: May 25, 2012

26 By: KREINDLER & KREINDLER

27 **IT IS SO ORDERED**

28 DATED: 6/11/2012


Stuart R. Fraenkel

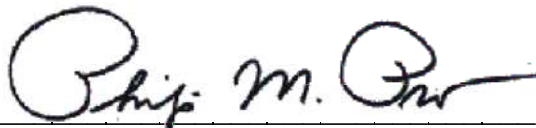

UNITED STATES DISTRICT JUDGE

EXHIBIT 1

1 DANIEL T. FOLEY (Nevada Bar No. 1078)
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Attorneys for Plaintiffs

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 MAURICETTE DEROME; PIERRE DANIOU;
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17 JACQUELINE COLSON; GERARD PELLE;
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19 JACQUES MARCHAND; CHANTAL
20 MARCHAND; MARIE BEAUBERNARD;
21 CHRISTIANE GENTIL; DANY CHARLES;
22 MARTINE CHARLES; and LUCETTE BESSON,

Plaintiffs,

vs.

23 BUSCO, INC. D/B/A/ ARROW STAGE LINES;
24 BONJOUR USA; ROBERT ALAN
25 DALLENBACH; NABIL CHEHMAT and DOES 1-
26 100, inclusive.

Defendants.

CASE NO: 2:11-CV-01676-PMP-VCF

**AFFIDAVIT OF STUART R.
FRAENKEL RE. MOTION FOR
ENTRY OF ORDER OF DEFAULT
AND DEFAULT JUDGMENT**

1 The undersigned, being first duly sworn, upon oath, deposes and says:

2 1. I am the attorney for the plaintiffs in this action.

3 2. A lawsuit was commenced in the U.S. District Court for the District of Nevada, case No.
4 2:11-CV-01676-PMP-VCF on October 17, 2011.

5 3. Defendant Nabil Chehmat was served by publication at least once a week for a period of
6 four consecutive weeks in a newspaper of general circulation in Clark County, Nevada.

7 4. Defendant Nabil Chehmat has failed to answer or otherwise defend.

8 5. I mailed a copy of this Application and Affidavit to defendant's last known address on
9 May 25, 2012.
10

11 6. The Application and Affidavit are made for the purpose of entering default against the
12 listed defendant because no answer or other responsive pleading has been made by the defendant
13 within the time required by law.
14

15 7. I hereby move the Court to enter this default.

16 8. This default shall not become effective if the defendant pleads or otherwise defends as
17 provided by the Arizona Rules of Civil Procedure, Rule 55(a), a copy of which is attached
18 hereto.
19

20
21
22 Dated: May 25, 2012

By: 

Stuart R. Fraenkel

EXHIBIT 2

1 DANIEL T. FOLEY (Nevada Bar No. 1078)
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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARTINE CHARLES; and LUCETTE BESSON,

CASE NO: 2:11-CV-01676-PMP-VCF

ORDER FOR SERVICE OF NABIL
CHEHMAT BY PUBLICATION

Plaintiffs,

vs.

BUSCO, INC. D/B/A/ ARROW STAGE LINES;
BONJOUR USA; ROBERT ALAN
DALLENBACH; NABIL CHEHMAT and DOES 1-
100, inclusive.

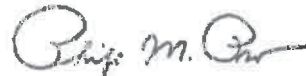
Defendants.

ORDER FOR SERVICE BY PUBLICATION

1
2
3 Upon reading the Affidavit of the Plaintiff on file herein, it appearing that a verified
4 Complaint has been filed; that a Summons directed to the Defendant, NABIL CHEHMAT
5 ("Defendant"), has been issued; that Defendant is a necessary party; that Defendant is not a
6 resident of the State of Nevada or has departed from the state, or cannot, after due diligence, be
7 found within the state, or by concealment seeks to avoid the service of Summons, and that
8 Defendant cannot be personally served in the State of Nevada, and good cause appearing
9 therefore:

10 IT IS HEREBY ORDERED that if Defendant cannot now be found so as to be personally
11 served, he may be served by publication of the Summons at least once a week for a period of 4
12 consecutive weeks in a newspaper of general circulation published in Clark County, Nevada.

13 DATED this _9th day of April, 2012.

14
15 

16
17 Judge Philip M. Pro

18 Submitted By:

19
20 

21 Daniel T. Foley
22 FOLEY & OAKS, PC
23 850 East Bonneville Avenue
24 Las Vegas, NV
25 (702) 384-2070
Attorneys for Plaintiffs

EXHIBIT 3

AFPP

2:11-cv-01876-PMP -VCF

Affidavit of Publication

STATE OF NEVADA }
COUNTY OF CLARK }

SS

UNITED STATES DISTRICT COURT

for the

District of Nevada

Civil Action No. 2:11-cv-01876-PMP -VCF

Mauritatis Jerome, et al Plaintiff

v. Robert Alan Dallenbach, et al Defendant

SUMMONS IN A CIVIL ACTION

To: Nabil Chahmat A lawsuit has been filed against you. Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Daniel T Foley, Foley & Foley, 850 East Bonnevilles, Las Vegas, NV 89101 if you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court. s/ LANCE S. WILSON, CLERK, DATE October 18, 2011, By Lance S. Wilson, DEPUTY CLERK
Published in Nevada Legal News
April 11, 18, 25, May 2, 9, 2012

I, Rosalie Qualls state:

That I am Assistant Operations Manager of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Apr 11, 2012
Apr 18, 2012
Apr 25, 2012
May 02, 2012
May 09, 2012

That said newspaper was regularly issued and circulated on those dates. I declare under penalty of perjury that the foregoing is true and correct.

DATED: May 09, 2012



Rosalie Qualls

04106809 00322437

KREINDLER & KREINDLER LLP
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