

1 KEKER & VAN NEST, LLP
 R. JAMES SLAUGHTER - #192813
 2 RYAN M. KENT - #220441
 710 Sansome Street
 3 San Francisco, CA 94111-1704
 Telephone: (415) 391-5400
 4 Facsimile: (415) 397-7188

5 Attorneys for Plaintiffs
 ELECTRONIC ARTS INC. and ELECTRONIC ARTS MUSIC
 6 PUBLISHING, INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

12 ELECTRONIC ARTS INC., a Delaware
 Corporation, and ELECTRONIC ARTS
 13 MUSIC PUBLISHING, INC., a Delaware
 Corporation,

14 Plaintiffs,

15 v.

16 GIANT PRODUCTIONS, a French
 17 Corporation, NAJIB MARC REGHAY, an
 individual, and ALEXANDRA BERTHET, an
 18 individual,

19 Defendants.

Case No. C06-3403 JSW

REQUEST FOR ENTRY OF DEFAULT

20
21
22
23
24
25
26
27
28

1 TO: THE CLERK OF THE ABOVE-TITLED COURT

2 Plaintiffs Electronic Arts Inc. and Electronic Arts Music Publishing, Inc. (collectively
3 “EA”) hereby request that the Clerk of the above-titled Court enter default in this matter against
4 Defendants Giant Productions, Najib Reghay, and Alexandra Berthet on the grounds that
5 Defendants have failed to respond to Plaintiffs’ Complaint within the time prescribed by Federal
6 Rule of Civil Procedure 12(a)(1)(B).

7 As evidenced by the E-filing docket sheet for this case, EA filed the Complaint on May
8 24, 2006. EA elected to request waiver of service from Defendants, and thus, on May 26, 2006,
9 sent through reliable means requests to waive service in accordance with Rule 4(d). Each
10 Defendant agreed to waive service and returned executed waivers of service. EA filed those
11 executed waivers on June 5, 2006.

12 Pursuant to Rule 4(d)(3), the Defendants had 90 days after the date on which the request
13 for waiver of service was sent to respond. Accordingly, Defendants should have filed a
14 responsive pleading on or before August 25, 2006. No such responsive pleading has been filed,
15 and therefore EA requests the Clerk enter default in this matter.

16 The above-stated facts are set forth in the accompanying declaration of Ryan M. Kent,
17 filed herewith.

18
19
20 Respectfully submitted,
21 DATED: September 13, 2006 KEKER & VAN NEST, LLP

22
23 By: _____ /s/ Ryan Kent
24 Ryan M. Kent
25 Attorneys for Plaintiffs
26 ELECTRONIC ARTS, INC. and
27 ELECTRONIC ARTS MUSIC
28 PUBLISHING, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Kecker & Van Nest, LLP, 710 Sansome Street, San Francisco, California 94111.

On September 13, 2006, I served the following document(s):

REQUEST FOR ENTRY OF DEFAULT

by **FEDERAL EXPRESS**, by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Kecker & Van Nest, LLP for correspondence for delivery by FedEx Corporation. According to that practice, items are retrieved daily by a FedEx Corporation employee for overnight delivery.

Béatrice Dubreuil
Association d'Avocats
121, Champs Elysées
75008 PARIS – FRANCE

Executed on September 13, 2006, at San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ Maureen L. Stone
MAUREEN L. STONE