

DEFAULT ENTERED

APR 29 2011

RICHARD W. WIEKING, CLERK

By ALBERT J YOUNGER  
Deputy Clerk

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 8  
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10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN JOSE DIVISION  
 14

15 ZYNGA GAME NETWORK INC., a Delaware  
16 Corporation,

17 Plaintiff,

18 v.

19 JASON WILLIAMS, an individual, LUNA  
 20 MARTINI, an individual, WAN-WEN KUO, an  
 individual, and JOHN DOES 4-5 D/B/A MW  
 21 GROUP

22 Defendants.  
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**CASE NO. CV-10:01022 JF (PSGx)**

**PLAINTIFF'S REQUEST FOR ENTRY OF  
 DEFAULT BY THE CLERK AGAINST  
 DEFENDANTS JASON WILLIAMS, LUNA  
 MARTINI AND WAN-WEN KUO**

1 To the Clerk of Court:

2 Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiff ZYNGA INC. (“Plaintiff”)  
3 moves for entry of default judgment against defendants (1) Jason Williams; (2) Luna Martini; and  
4 (3) Wan-Wen Kuo (collectively, “Defendants”) for failure to answer or otherwise plead to the First  
5 Amended Complaint. In support of this Motion, Plaintiff states as follows:

6 1. Plaintiff commenced this action on March 10, 2010, by filing a Complaint against  
7 defendants Jason Williams, Luna Martini and John Does 1-5 DBA MW Group in the United States  
8 District Court for the Northern District of California.

9 2. Plaintiff filed its First Amended Complaint on September 7, 2010 against defendants  
10 Jason Williams, Luna Martini, Wan-Wen Kuo and John Does 2-5 DBA MW Group.

11 3. The Defendants were served with a Summons and a copy of the First Amended  
12 Complaint by electronic mail on March 28, 2011, pursuant to the Court’s March 24, 2011 Order  
13 Authorizing Plaintiff to Serve Defendants by Electronic Mail. *See* Proof of Service, Docket No. 36;  
14 Order Authorizing Plaintiff to Serve Defendants by Electronic Mail, Docket No 35.

15 4. Pursuant to the Court’s March 24, 2011 Order Authorizing Plaintiff to Serve  
16 Defendants by Electronic Mail, the Defendants were required to serve an answer or otherwise plead  
17 to the First Amended Complaint on or before April 18, 2011. *See* Order Authorizing Plaintiff to  
18 Serve Defendants by Electronic Mail, Docket No 35.

19 5. To date, the Defendants have not served an answer or any other responsive pleading  
20 to the First Amended Complaint, nor has any counsel of record made an appearance on the  
21 Defendants’ behalf.

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1           6.     Federal Rule of Civil Procedure 55(a) provides that “[w]hen a party against whom a  
2 judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these  
3 rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter the party’s  
4 default.”

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6           WHEREFORE, Plaintiff respectfully requests that the Clerk of the above-entitled Court enter  
7 default in this matter against the Defendants.

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9           Dated: April 22, 2011

By: \_\_\_\_\_ /s/

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11                                   David K. Caplan  
12                                   Keats McFarland & Wilson LLP  
13                                   Attorneys for Plaintiff  
14                                   ZYNGA INC.