

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-01419-ZLW-BNB

EMILY BARRY,

Plaintiff,

v.

EASTERN ASSET MANAGEMENT, LLC,

Defendant.

ORDER

The matter before the Court is Plaintiff's Request For Entry Of Default Judgment (Doc. No. 39). The affidavit of indebtedness which Plaintiff filed (Doc. No. 38-2) does not attach any documentation supporting the amount of attorney's fees and costs sought, and was not either notarized¹ or certified under penalty of perjury pursuant to 28 U.S.C. § 1746. Accordingly, it is

ORDERED that Request For Entry Of Default Judgment (Doc. No. 39) is denied without prejudice.

DATED at Denver, Colorado, this 30th day of April, 2009.

BY THE COURT:



ZITA L. WEINSHIENK, Senior Judge
United States District Court

¹An affidavit is a "voluntary declaration of facts written down and sworn to by the declarant before an officer authorized to administer oaths, such as a notary public." Black's Law Dictionary (8th ed. 2004).