

**RECEIVED
BY MAIL****United States District Court****DEC 22 2009 EASTERN DISTRICT OF MISSOURI****U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
GREGORY MCKENNA,****Plaintiff****Vs.****THE ST. LOUIS COUNTY POLICE DEPARTMENT,
OFFICERS CHARLES BOSCHERT, KENNETH
WILLIAMS, 8 UNKNOWN AGENTS OF THE
FEDERAL BUREAU OF INVESTIGATION,
MARK KAPPELHOFF, APPLE INC., A-1
PRIVATE INVESTIGATIONS, TIMOTHY
BONINE, D'ANGELO AUTOMOTIVE,****Case No. 4:09cv1113CDP****JURY DEMANDED****Defendants**

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF HIS RESPONSE TO DEFENDANT
KAPPELHOFF'S OPPOSITION TO HIS MOTION FOR ENTRY OF DEFAULT JUDGMENT**

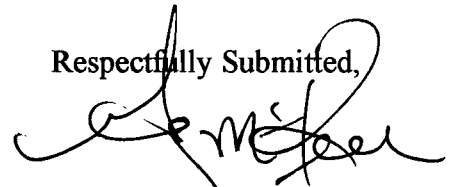
COMES NOW, pro se Plaintiff, Gregory McKenna, and for his Response to Defendant Kappelhoff's Opposition To His Motion For Entry Of Default Judgment, states the following:

- 1) On October 30, 2009, Plaintiff filed a Motion for Entry of Default Judgment against Defendant Mark Kappelhoff.
- 2) On November 6, 2009, Kappelhoff responded with his opposition to Plaintiff's Motion stating that 1) Kappelhoff was not properly served, 2) Kappelhoff responded to the process server, and 3) the Government cannot have an entry of default entered against it.
- 3) Three factors control whether a default judgment should be granted: 1) prejudice to the plaintiff if default is denied, 2) whether defendant appears to have a litigable defense, and 3) whether defendant's delay is due to culpable conduct.

4) Plaintiff satisfying all three factors of the default judgment criteria hereby moves this Honorable Court for a default judgment against Defendant Kappelhoff.

Date: December 18, 2009.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Gregory McKenna', written in a cursive style.

Gregory McKenna

Pro Se Plaintiff

9937 Young Drive, H

Beverly Hills, CA 90212

(310) 213-8851