

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.,

Plaintiff,

-against-

**MATHEW K. HIGBEE, Esq.,
NICK YOUNGSON,
RM MEDIA, LTD.,
and HIGBEE & ASSOCIATES,**

Defendants.

Docket No.: 18-cv-3353 (ADS) (ARC)

**DECLARATION OF
KEVIN SCHLOSSER IN
SUPPORT OF PLAINTIFF'S
REQUEST FOR DEFAULT
PURSUANT TO
LOCAL CIVIL RULE 55.1**

KEVIN SCHLOSSER, hereby declares pursuant to 28 U.S.C. § 1746 and under the penalty of perjury the following:

1. I am a Member of Meyer, Suozzi, English & Klein, P.C., Plaintiff law firm in this matter, and counsel pro se. As such, I fully familiar with the facts and circumstances set forth herein.

2. I submit this declaration pursuant to Local Civil Rule 55.1 and Fed.R.Civ.P. 55(a) for a Certificate of Default by the Clerk.

3. Plaintiff commenced this action by the filing of a complaint and related documents on June 7, 2018 (Dkt. 1).

4. On June 8, 2018, the Clerk issued a summons to the four named Defendants: Mathew K. Higbee, Esq.; Nick Youngson; RM Media, Ltd.; and Higbee & Associates (Dkt. 6).

5. Pursuant to Fed.R.Civ.P. 4(f)(1), service of process of the summons and complaint was made effective upon Defendant Nick Youngson on November 5, 2018 (Dkt 15).

6. Pursuant to Fed.R.Civ.P. 4(h)(2), service of process of the summons and complaint was made effective upon Defendant RM Media, Ltd., upon its CEO, on January 2, 2019 (Dkt. 16).

7. The summons and complaint were properly served on both Defendants Defendant Nick Youngson and Defendant RM Media, Ltd. by means of service authorized by the Hague Convention and the Civil Procedure Rules of England and Wales (Dkts. 15 and 16).

8. The time by which Defendants Nick Youngson and RM Media, Ltd. had to respond to the summons and complaint has expired for both.

9. Defendants Nick Youngson and RM Media, Ltd. have failed to plead or otherwise defend the action.

10. Upon information and belief, neither Defendant Nick Youngson nor Defendant RM Media, Ltd. is in the military, an infant, or an incompetent person.

11. A proposed Certificate of Default is annexed hereto.

WHEREFORE, plaintiff respectfully requests that the Clerk issue a Certificate of Default pursuant to Local Rule 55.1 against Defendants Nick Youngson and RM Media, Ltd.

Dated: February 19, 2019

/s/ Kevin Schlosser
KEVIN SCHLOSSER