

**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) (ARL)

**DECLARATION OF
KEVIN SCHLOSSER**

KEVIN SCHLOSSER declares the following pursuant to 28 U.S.C. § 1746:

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

2. I submit this declaration in opposition to the motion to vacate default of Defendants Nick Youngson and RM Media Ltd and in support of Plaintiff's motion for an order deeming service of process effectuated upon such defendants.

3. Annexed hereto as Exhibit A is the Higbee Defendants May 9, 2018 letter and draft complaint to Plaintiff.

4. Annexed hereto as Exhibit B is the acknowledgment of service by mail.

5. Annexed hereto as Exhibit C is Defendant Nick Youngson's Copyright Registration filed with the United States Copyright Office indicating Defendant Youngson's location as Liverpool, England at 15 Church Road.

6. Annexed hereto as Exhibit D is the current printout of the information on file for the Copyright Registration filed with the United States Copyright Office indicating Defendant Youngson's location as Liverpool, England at 15 Church Road.

7. Annexed hereto as Exhibit E is the request for service sent to the Foreign Process Section of the Royal Courts of Justice Group, Queen's Bench Division for service of process upon RM Media at Suite 11, Stanley Grange Business Village, Ormskirk Road, Knowsley Village, United Kingdom.

8. Annexed hereto as Exhibit F is the response to request for service sent to the Foreign Process Section of the Royal Courts of Justice Group, Queen's Bench Division, indicating "Defendant company not known at the address given."

9. Annexed hereto as Exhibit G are Docket reports of prior cases in which Jeanne Weisneck has appeared as co-counsel with the Higbee Defendants and their counsel in this matter, Rayminh L. Ngo.

WHEREFORE, for the reasons stated in Plaintiff's accompanying Memorandum of Law, it is respectfully submitted that the motion to vacate default of Defendants Nick Youngson and RM Media Ltd be denied, Plaintiff's motion for an order deeming service of process effectuated upon such defendants be granted and that the Court award such other relief as the Court deems just and proper.

Dated: Garden City, New York
March 25, 2019

/s/ Kevin Schlosser
KEVIN SCHLOSSER