

**WITHERS BERGMAN LLP**

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*Attorneys for Defendant/Third-Party Plaintiff Gagosian Gallery, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SAFFLANE HOLDINGS LTD., and  
ROBERT WYLDE,

Plaintiffs,

Case No.: 11 CIV 1679 (DLC)(MHD)

-against-

GAGOSIAN GALLERY, INC.,

**NOTICE OF MOTION  
FOR DEFAULT JUDGMENT**

Defendant.

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GAGOSIAN GALLERY, INC.,

Third-Party Plaintiffs,

-against-

CHARLES COWLES,

Third-Party Defendant.

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**PLEASE TAKE NOTICE**, that upon the Affidavit of Dara G. Hammerman, Esq. dated December 5, 2011 and the exhibits annexed thereto, the Defendant/Third-Party Plaintiff's Memorandum of Law dated December 5, 2011, the proposed default judgment submitted herewith, and the pleadings and prior proceedings herein, defendant/third-party plaintiff

Gagosian Gallery will move the Court before the Honorable Michael Dolinger at the United States Courthouse, 500 Pearl Street, New York, New York in Courtroom 17D on December 20, 2011 at 10:00 a.m., or as soon thereafter as counsel may be heard, pursuant to Fed. R. Civ. P. 55(b)(2) and Rule 55.2(b) of the Local Civil Rules for the Southern District of New York, for the issuance of a default judgment against third-party defendant Charles Cowles on the grounds that third-party defendant has failed to answer or otherwise defend the Third-Party Complaint in this action, in principal amount of the sum set forth in Exhibit J of the Affidavit of Dara G. Hammerman, together with pre-judgment and post-judgment interest, legal fees in the amount of \$689,964.69, and the costs and disbursements of the original action in the amount of \$13,252.86, and such other and further relief as the Court deems just and proper.

Dated: New York, New York  
December 5, 2011

Respectfully submitted,

WITHERS BERGMAN LLP

By:   
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To: Charles Cowles  
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