

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DZ BANK AG DEUTSCHE ZENTRAL-  
GENOSSENSCHAFTBANK, FRANKFURT  
AM MAIN, NEW YORK BRANCH,

09cv1570

**ELECTRONICALLY FILED**

Plaintiff,

v.

LEONARD KIRBY,

Defendant.

ORDER OF COURT

AND NOW, this 29<sup>th</sup> day of January, 2010, Defendant, Leonard Kirby, having failed to plead or otherwise defend in this action and default having been entered, and upon Motion of the Plaintiff for Default Judgment (Doc. No. 14) with several supporting affidavits attached thereto demonstrating that Defendant (i) is indebted to Plaintiff in the sum certain amount of \$215,950.17, and (ii) that Defendant is not a minor, incompetent or in the military service of the United States, said Motion of the Plaintiff for Default Judgment (Doc. No. 14) IS HEREBY GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff shall recover of Defendant, Leonard Kirby, the sum of \$215,950.17. The Clerk of Court shall mark this case closed.

So Ordered

s/ Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel and Parties