

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

TRANSAMERICA LIFE INSURANCE)	
COMPANY)	
Plaintiff,)	
)	C.A. No. 09-471/ML
v.)	
)	
JOSEPH CARAMADRE, RAYMOUR)	
RADHAKRISHNAN, ESTATE PLANNING)	
RESOURCES, INC., ESTELLA RODRIGUES,)	
EDWARD MAGGIACOMO, JR.,)	
LIFEMARK SECURITIES CORP. and)	
PATRICK GARVEY,)	
Defendants.)	

APPLICATION FOR ENTRY OF DEFAULT OF LIFEMARK SECURITIES CORP.

Pursuant to Fed. R. Civ. P. 55(a), plaintiff Transamerica Life Insurance Company (“Transamerica”) hereby requests that the Clerk of the Court enter default against defendant Lifemark Securities, Corp. (“Lifemark”). Transamerica files herewith a supporting memorandum of law.

Respectfully submitted,

/s/ Michael J. Daly
 Brooks R. Magratten, Esq., No. 3585
 Michael J. Daly, Esq. No. 6729
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Dated: November 3, 2009

CERTIFICATE OF SERVICE

I hereby certify that the within document was electronically filed with the clerk of the court on November 3, 2009 and that a copy of such document is available for viewing and downloading through the Court's ECF system.

Counsel for defendants Caramadre, Radhakrishnan, Estate Planning Resources, Rodrigues and Maggiacomo have been served with a copy of this document electronically. A copy of this document will be served by US Mail, first class postage prepaid, on November 3, 2009, to the last known address of defendant Garvey and to defendant Lifemark Securities Corp. at 400 W. Metro Park, Rochester NY, 14623.

/s/ Michael J. Daly

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PATRICK GARVEY,)	
)	
Defendants.)	

**MEMORANDUM IN SUPPORT OF APPLICATION FOR
ENTRY OF DEFAULT OF LIFEMARK SECURITIES CORP.**

Pursuant to Fed. R. Civ. P. 55(a), plaintiff Transamerica Life Insurance Company requests that the Clerk of the Court enter default against defendant Lifemark Securities, Corp. (“Lifemark”) for failure to plead or otherwise defend as required by the Federal Rules of Civil Procedure. In support of this application, Transamerica refers the Court to the return of service filed on October 14, 2009 [Dkt. 8], confirming that service was made upon Lifemark on October 5, 2009. More than 20 days have passed since the date of service and Lifemark has failed to plead or otherwise defend. Therefore, the entry of default is appropriate pursuant to Rule 55(a).

Respectfully submitted,

/s/ Michael J. Daly
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Michael J. Daly, Esq. No. 6729
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/s/ Michael J. Daly