

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
IN NASHVILLE**

TAYLOR SWIFT,

Plaintiff

v.

MALCOLM MATTHEWS; RENEE SUSAN MITCHELL; LOUIS MOORE; MARTIN D. QUATTLEBAUM; MARSHA DYONNE TYLER; MELLISSA LIEBERMAN; EDWARD FRIEDMAN; KENNETH JOHNSON; ROBERT VINCENT ESTRONZA; TAIEF HASSON WALLACE; VANCE HILL; VERNANDO SMITH; ANDRE ANTHONY JONES; FRANK PARSONS; CARLO PONTI SMITH; WILBERT G. PRINCE; MERVIN A. BROWN; ERIC LOPP; JEFFREY L. WATKINS; DENNIS LANE WEAVER; KILO JAMES; TYRONE "PIGGY" SQUIRES; BURRELL DICKERSON; and BRAULIO RIVIERA,

Defendants

Civil Action No. 3:09-CV-0442

Judge Wiseman

Magistrate Judge Griffin

FILED UNDER SEAL

**PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT
UNDER FED. R. CIV. P. 55(A)**

The plaintiff, Taylor Swift ("Plaintiff"), by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 55(a), hereby moves that the Clerk of the Court enter default in the above-captioned action against the defendants Martin D. Quattlebaum, Robert Vincent Estronza, Vance Hill, Vernando Smith, Andre Anthony Jones, Frank Parsons, Wilbert G. Prince, Carlo

Ponti Smith, Mervin A. Brown, Eric Lopp, Jeffrey L. Watkins, Dennis Lance Weaver, Kilo James, Tyrone “Piggy” Squires, Burrell Dickerson, and Braulio Riviera (“Defendants”).

As supported by the contemporaneously filed Declaration of Natalya L. Rose (“Rose Decl.”), Plaintiff states as follows:

1. On May 18, 2009, Plaintiff filed her Verified Complaint, naming Malcolm Matthews, Renee Susan Mitchell, Louis Moore, Martin D. Quattlebaum, Marsha Dyonne Tyler, Various John Does, Various Jane Does and Various XYZ Corporations as defendants (“Complaint”). Rose Decl. at 3; Document 1.

2. On May 27, 2009, service of the Complaint, together with a properly issued Summons, was effected on Martin D. Quattlebaum (“Quattlebaum”) by hand delivery at what is believed to be Defendant Quattlebaum’s place of residence, namely, 8556 Kendrick Road, Jonesboro, Georgia 30238. Proof of such service was filed with this Court on June 3, 2009. Rose Decl. at 4; Document 23.

3. On June 10, 2009, Plaintiff filed her First Amended Verified Complaint, naming Brendan Schiff, Melissa Lieberman and Edward Friedman as additional defendants (“First Amended Complaint”). Rose Decl. at 5; Document 26.

4. On June 24, 2009, service of the First Amended Complaint, together with a properly issued Summons, was effected on Robert Vincent Estronza (“Estronza”) by U.S. Certified Mail delivery at what is believed to be Defendant Estronza’s place of residence, namely, 1281 Brockett Road, Clarkston, Georgia 30021. Proof of such service was filed with this Court on July 13, 2009. Rose Decl. at 6; Document 38.

5. On September 3, 2009, service of the Complaint, together with a properly issued Summons, was effected on Vance Hill (“Hill”) by hand delivery in the vicinity of

Gwinnett Arena, 6500 Sugarloaf Parkway, Duluth, Georgia 30097. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 7; Document 69.

6. On September 3, 2009, service of the Complaint, together with a properly issued Summons, was effected on Vernando Smith (“Vernando Smith”) by hand delivery in the vicinity of Gwinnett Arena, 6500 Sugarloaf Parkway, Duluth, Georgia 30097. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 8; Document 71.

7. On September 4, 2009, service of the Complaint, together with a properly issued Summons, was effected on Andre Anthony Jones (“Jones”) by hand delivery in the vicinity of Bi-Lo Center, 650 N. Academy Street, Greenville, South Carolina 29601. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 9; Document 74.

8. On September 4, 2009, service of the Complaint, together with a properly issued Summons, was effected on Frank Parsons (“Parsons”) by hand delivery in the vicinity of Bi-Lo Center, 650 N. Academy Street, Greenville, South Carolina 29601. Proof of such service was filed with this Court on October 7, 2009. Rose Decl. at 10; Document 75.

9. On September 4, 2009, service of the Complaint, together with a properly issued Summons, was effected on Carlo Ponti Smith (“Carlo Ponti Smith”) by hand delivery in the vicinity of Bi-Lo Center, 650 N. Academy Street, Greenville, South Carolina 29601. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 11; Document 76.

10. On September 4, 2009, service of the Complaint, together with a properly issued Summons, was effected on Wilbert G. Prince (“Prince”) by hand delivery in the vicinity of Bi-Lo Center, 650 N. Academy Street, Greenville, South Carolina 29601. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 12; Document 77.

11. On September 5, 2009, service of the Complaint, together with a properly issued Summons, was effected on Mervin A. Brown (“Brown”) by hand delivery in the vicinity of Time Warner Cable Arena, Charlotte, North Carolina 28202. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 13; Document 68.

12. On September 5, 2009, service of the Complaint, together with a properly issued Summons, was effected on Eric Lopp (“Lopp”) by hand delivery in the vicinity of Time Warner Cable Arena, Charlotte, North Carolina 28202. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 14; Document 70.

13. On September 5, 2009, service of the Complaint, together with a properly issued Summons, was effected on Jeffrey L. Watkins (“Watkins”) by hand delivery in the vicinity of Time Warner Cable Arena, Charlotte, North Carolina 28202. Proof of such service was filed with this Court on October 2, 2009. Rose Decl. at 15; Document 72.

14. On April 30, 2010, service of the Complaint, together with a properly issued Summons, was effected on Dennis Lance Weaver (“Weaver”) by hand delivery in the vicinity of Colonial Life Arena, Columbia, South Carolina. Proof of such service was filed with this Court on July 8, 2010. Rose Decl. at 16; Document 85.

15. On May 12, 2010, service of the Complaint, together with a properly issued Summons, was effected on Kilo James (“James”) by hand delivery in the vicinity of Prudential Center, Newark, New Jersey. Proof of such service was filed with this Court on July 8, 2010. Rose Decl. at 17; Document 82.

16. On May 12, 2010, service of the Complaint, together with a properly issued Summons, was effected on Tyrone “Piggy” Squires (“Squires”) by hand delivery at in the

vicinity of Prudential Center, Newark, New Jersey. Proof of such service was filed with this Court on July 8, 2010. Rose Decl. at 18; Document 84.

17. On May 14, 2010, service of the Complaint, together with a properly issued Summons, was effected on Burrell Dickerson (“Dickerson”) by hand delivery in the vicinity of Nassau Veterans Memorial Coliseum, Uniondale, New York 11553. Proof of such service was filed with this Court on July 8, 2010. Rose Decl. at 19; Document 81.

18. On May 14, 2010, service of the Complaint, together with a properly issued Summons, was effected on Braulio Riviera (“Riviera”) by hand delivery in the vicinity of Nassau Veterans Memorial Coliseum, Uniondale, New York 11553. Proof of such service was filed with this Court on July 8, 2010. Rose Decl. at 20; Document 83.

19. Pursuant to Fed. R. Civ. P. 6, 12 and 15, Defendants Quattlebaum, Estronza, Hill, Vernando Smith, Jones, Parsons, Prince, Carlo Ponti Smith, Brown, Lopp, Watkins, Weaver, James, Squires, Dickerson and Riviera were required to respond to the Complaint and/or the First Amended Complaint on or before June 3, 2010.

20. The deadline for Defendants’ filing and serving a response to the Verified Complaint and the First Amended Verified Complaint under the Federal Rules of Civil Procedure has passed, and Defendants have not filed or served an answer, nor have they filed or served a motion pursuant to Fed. R. Civ. P. 12. Moreover, Defendants have not requested that the Court extend their time to file a responsive pleading. Rose Decl. at 21.

21. Counsel for Plaintiff has no reason to believe that Defendants Quattlebaum, Estronza, Hill, Vernando Smith, Jones, Parsons, Prince, Carlo Ponti Smith, Brown, Lopp, Watkins, Weaver, James, Squires, Dickerson and Riviera are in military service. Counsel submits a sworn declaration required by the Service Members Civil Relief Act of 2003 (50

U.S.C. App. §§ 501–596) and facts necessary to support this declaration. Rose Decl. at 22, and Exhibit A thereto.

WHEREFORE, Plaintiff respectfully requests that the Clerk of the Court enter default against Defendants Quattlebaum, Estronza, Hill, Vernando Smith, Jones, Parsons, Prince, Carlo Ponti Smith, Brown, Lopp, Watkins, Weaver, James, Squires, Dickerson and Riviera, pursuant to Fed. R. Civ. P. 55(a).

Respectfully submitted,

/s/ Natalya L. Rose
W. Michael Milom (No. 002803)
David S. Crow (No. 020699)
Natalya L. Rose (No. 021701)
MILOM JOYCE HORSNELL CROW PLC
3310 West End Avenue, Suite 610
Nashville, Tennessee 37203
Telephone: (615) 255-6161
mmilom@mjhc-law.com
dcrow@mjhc-law.com
nrose@mjhc-law.com

*Attorneys for Plaintiff
Taylor Swift*

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing Plaintiff's Motion for Entry of Default under Fed. R. Civ. P. 55(a) is being accomplished through delivery by U.S. First Class Mail, postage pre-paid, this 17th day of August, 2010, upon the following:

Martin D. Quattlebaum
8556 Kendrick Road
Jonesboro, Georgia 30126

Robert Vincent Estronza
1281 Brockett Road
Clarkston, Georgia 30021

Vance Hill
6169 Charring Cross Court
Lithonia, Georgia 30058

Vernando Smith
1119 Redantrian Court
Stone Mountain, GA 30088

Andre Anthony Jones
8330 Bluff Road
Columbia, South Carolina 29214

Frank Parsons
1622 Curry Street
Columbia, South Carolina 29204

Wilbert G. Prince
1837 Barbara Drive 11A
Columbia, South Carolina 29223

Carlo Ponti Smith
2225 Hwy 1 South, Apt. 905
Elgin, South Carolina 29073

Mervin A. Brown
1627 Carnegie Street, Apt. B
Columbia, South Carolina 29204-1472

Eric Lopp
153-20 123 Avenue
Jamaica, New York 11434

Jeffrey L. Watkins
667 Westwood Drive
Lexington, South Carolina 29073-8038

Dennis Lance Weaver
3911 St. Andrews, Apt. 302
Columbia, South Carolina 29201

/s/ Natalya L. Rose _____
Natalya L. Rose