

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION - MEMPHIS

**ZUFFA, LLC, d/b/a THE ULTIMATE
FIGHTING CHAMPIONSHIP (UFC),**

Plaintiff,

-against-

FRANCIS J. SCOTT, Individually, and as officer,
director, shareholder, and/or principal of BLACK
DIAMOND, INC., d/b/a THE BLACK DIAMOND,
a/k/a BLACK DIAMOND,

and

BLACK DIAMOND, INC., d/b/a THE BLACK
DIAMOND, a/k/a BLACK DIAMOND,

Defendants.

Comes now Plaintiff, **ZUFFA, LLC, d/b/a THE ULTIMATE FIGHTING
CHAMPIONSHIP (UFC)**, and respectfully states as follows:

This action was commenced with the filing of the Complaint and Summons on or about
November 23, 2010.

Service of the Summons and Complaint was perfected on the Defendant, BLACK
DIAMOND, INC., on December 20, 2010, as set forth in the proof of service which was filed on
December 28, 2010, via ECF No. 10.

The Process Server hired by Plaintiff has attempted to serve the Defendant, FRANCIS J.
SCOTT, personally, but has been unable to do so to date. The Server is still attempting to effect
service.

Although the Answer was due on January 11, 2011 for the defendant, BLACK DIAMOND,

**NOTICE OF INTENTION TO
MOVE FOR DEFAULT**

Civil Action No. 2:10-CV-02844-SHM-DKV

INC., to date, no Answer has been received nor has the Defendant, BLACK DIAMOND, INC, appeared.

Plaintiff is currently in the process of preparing the documents required for a Motion for Default Judgment against the defendant, BLACK DIAMOND, INC, in this matter and intends to file its Request for Entry of Default within thirty (30) days herein.

Respectfully submitted,

Dated: January 25, 2011
Ellenville, New York

**ZUFFA, LLC d/b/a THE ULTIMATE
FIGHTING CHAMPIONSHIP (UFC)**

By: /s/Julie Cohen Lonstein
JULIE COHEN LONSTEIN
Attorney for Plaintiff
LONSTEIN LAW OFFICE, P.C.
Office and P.O. Address
1 Terrace Hill : P.O. Box 351
Ellenville, NY 12428
Telephone: (845) 647-8500
Facsimile: (845) 647-6277
Email: Info@signallaw.com
Our File No. 10-8TN-W01V

CERTIFICATE OF SERVICE

Your deponent hereby certifies that a true copy of the foregoing document was served via U.S. Postal Service on January 25, 2011, upon the following:

Black Diamond, Inc., d/b/a the Black Diamond, a/k/a Black Diamond
153 Beale Street
Memphis, TN 38103

/s/Julie Cohen Lonstein
JULIE COHEN LONSTEIN