

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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

Plaintiff,

-against-

**AFFIDAVIT PURSUANT TO §201 OF
THE SERVICE MEMBERS CIVIL
RELIEF ACT**

Civil Action No.3:10-CV-02278-M

**THOMAS JOSEPH CATHCART and MANUEL
P. OLIVAREZ**, Individually, and as officers,
directors, shareholders, and/or principals of
OLICAT GROUP LLC, d/b/a HOOLEY'S
TAVERN AND GRILL, a/k/a HOOLEY'S
TAVERN,

and

OLICAT GROUP LLC, d/b/a HOOLEY'S
TAVERN AND GRILL, a/k/a HOOLEY'S
TAVERN,

Defendants.

STATE OF NEW YORK :
 : SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for Plaintiff, Zuffa, LLC, d/b/a The Ultimate Fighting
Championship (UFC), in the above referenced matter and I am admitted to practice in this Court.

I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. I make this affidavit in support of Plaintiff's motion for default judgment and
damages, costs and fees.

3. Copies of the Summons and Amended Complaint were served on Defendants,
MANUEL, OLIVAREZ, Individually, and as officers, directors, shareholders, and/or principals

of OLICAT GROUP LLC, d/b/a HOOLEY'S TAVERN AND GRILL, a/k/a HOOLEY'S TAVERN, and OLICAT GROUP LLC, d/b/a HOOLEY'S TAVERN AND GRILL, a/k/a HOOLEY'S TAVERN, on, as set forth in the proofs of service which were filed with the Court on January 4, 2011, ECF Document Numbers 11 and 12.

4. Upon information and belief, Defendants are not presently in the military service of the United States. See proofs of service which were filed with the Court on January 4, 2011, ECF Nos. 11-12. Within the return of service for the individual, Manuel Olivarez, the process server, swears that she personally served the defendant, Manuel Olivarez, and that she asked the person spoken to whether the recipient/defendant is presently in military service of the United States Government or on active duty in the military service and the response was "no".

Dated: March 9, 2011
Ellenville, NY 12428

By: /s/ Julie Cohen Lonstein
Julie Cohen Lonstein, Esq.
Bar Roll No. JL8521
Attorney for Plaintiff
1 Terrace Hill; PO Box 351
Ellenville, NY 12428
Telephone: 845-647-8500
Facsimile: 845-647-6277

Sworn to before me this 9th
day of March 2011.

/s/ April Draganchuk
April Draganchuk
Notary Public State of New York
Registration No. 4945872
Residing in Ulster County
My Commission Expires Jan. 27, 2015