

1 Laura Lynn Hammett  
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3 500 Amity Road Suite 5B #306  
4 Conway, Arkansas 72032

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6 *Plaintiff in pro se*

7 Laura Lynn Hammett  
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11 UNITED STATES DISTRICT COURT  
12 SOUTHERN DISTRICT OF CALIFORNIA  
13

14 Laura Lynn Hammett,  
15 Plaintiff,  
16 v.  
17 Mary E. Sherman, et al.  
18 Defendant.

Case No.: 19-CV-0605-JLS-LL

REQUEST FOR CLERK’S ENTRY OF  
DEFAULT OF DEFENDANT LINDA  
R. KRAMER, AN INDIVIDUAL

Honorable Janis L. Sammartino presiding

19  
20 REQUEST FOR ENTRY OF DEFAULT

21 Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiff Laura Lynn Hammett,  
22 an individual hereby requests that the Clerk of the U.S. District Court for the Southern  
23 District of California enter an order of default against Defendant Linda R. Kramer, an  
24 individual, for failure to answer, plead, or otherwise respond to the Plaintiff’s First  
25 Amended Complaint in this matter within the time permitted by the Federal Rules of  
26 Civil Procedure. In support of its request, Laura Lynn Hammett declares and states as  
27 follows:

1 1. I am the Plaintiff in Pro Se. I have personal knowledge of the facts asserted  
2 below and if called to testify I could testify competently to the truth of those  
3 matters.

4 2. On May 29, 2019, Plaintiff filed a Civil First Amended Complaint against  
5 defendant Linda R. Kramer, an individual and others alleging causes of action  
6 of Aiding and Abetting a Breach of Fiduciary Duty and Conversion.

7 3. On information and belief, Linda R. Kramer, an individual put a signed  
8 waiver of service of summons into a SASE and mailed it back to Plaintiff on  
9 July 8, 2019.

10 4. The waiver was mailed to Linda R. Kramer, an individual on May 31, 2019.

11 5. Linda R. Kramer, an individual has not filed an answer or otherwise  
12 responded to Plaintiff's First Amended Complaint.

13 6. Rule 55(a) of the Federal Rules of Civil Procedure provides, "[w]hen a party  
14 against whom a judgment for affirmative relief is sought has failed to plead or  
15 otherwise defend, and that failure is shown by affidavit or otherwise, the clerk  
16 must enter the party's default." Fed. R. Civ. P. 55(a); see also *Madsen v. Bumb*,  
17 (9<sup>th</sup> Cir. 1969) 419 F. 2d 4,5.

18 7. Because defendant Linda R. Kramer, an individual has failed to answer or  
19 otherwise defend against the complaint within the time permitted by Federal  
20 Rule of Civil Procedure 12(a)(4)(A), default pursuant to Rule 55(a) is  
21 appropriate.

22 I declare under penalty of perjury under the laws of the State of Arkansas, California  
23 and the United States of America that the forgoing is true and correct, except to those  
24 matters stated on information and belief and those I believe to be true.

25 WHEREFORE, Plaintiff, Laura Lynn Hammett, respectfully requests that the  
26 Clerk enter an order of default against Defendant Linda R. Kramer, an individual.

1 Date 8/1/2019 Signature s/Laura Lynn Hammett

2 Plaintiff in Pro Se Laura Lynn Hammett

3 Email bohemian\_books@yahoo.com

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