

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

SEALED PLAINTIFF 1)	
)	
and)	
)	
SEALED PLAINTIFF 2,)	
)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:22-cv-00670-MHL
)	
PATRIOT FRONT, et al.,)	
)	
)	
Defendants.)	

**REQUEST FOR CLERK’S ENTRY OF DEFAULT
AGAINST JACOB BROWN**

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiffs, by counsel, respectfully request that the Clerk of the Court enter default against Defendant Jacob Brown (“Defendant” or “Brown”) based on his failure to answer, plead, or otherwise defend in this civil action. In support of this request, Plaintiffs state as follows:

1. Plaintiffs filed their Complaint on October 18, 2022 (ECF No. 1). On December 5, 2022, Plaintiffs filed an Amended Complaint adding Defendant Jacob Brown (ECF No. 31).
2. The Clerk of the Court issued a summons as to Defendant Jacob Brown on December 19, 2022 (ECF No. 42).
3. Plaintiffs made diligent efforts to locate and effectuate service on Mr. Brown (ECF No. 93-2, paragraph 4).

4. On June 8, 2023, the Clerk issued a Notice of Intention to Proceed with Abatement of the case against Mr. Brown unless good cause could be shown why service was not made within the 90-day period prescribed by Rule 4(m) of the Federal Rules of Civil procedure. (ECF No. 91).

5. Plaintiffs responded to the Notice of Abatement on June 22, 2023 outlining diligent attempts to locate and serve Mr. Brown, and noting ongoing efforts. (ECF Nos. 92 and 93).

6. On September 5, 2023, an investigator hired by Plaintiffs was able to locate and personally serve Mr. Brown in New York. The executed summons was filed on September 11, 2023. (ECF No. 109).

7. On September 19, 2023, the Court ruled that Plaintiffs showed good cause as to why service was not made within 90 days, deemed the service on Mr. Brown timely, and ordered the Clerk not to proceed with abatement. (ECF No. 111).

8. In accordance with Federal Rule of Civil Procedure 12(a)(1)(A), Defendants' answer or other response was due no later than September 26, 2023. No such answer or other response has been filed or served. Nor has Defendant Jacob Brown requested or received an extension to respond. (*see* accompanying Shebelskie Decl. ¶ 7).

For the reasons set forth above, Plaintiffs respectfully request that the Clerk of the Court enter default against Defendant Jacob Brown as to all claims asserted by Plaintiffs.

Date: October 12, 2023

Respectfully submitted,

SEALED PLAINTIFFS 1 and 2

By: /s/ Michael R. Shebelskie

Michael R. Shebelskie, VSB No. 27459
Kevin S. Elliker, VSB No. 87498
HUNTON ANDREWS KURTH LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074

Telephone: (804) 788-8200
Facsimile: (804) 788-8218
mshebelskie@HuntonAK.com
kelliker@HuntonAK.com

Edward G. Caspar (admitted pro hac vice)
DC Bar No. 1644168
Arthur Ago (admitted pro hac vice)
DC Bar No. 463681
LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
1500 K Street, NW, Suite 900
Washington, DC 20005
Telephone: (202) 662-8600
Facsimile: (202) 783-0857
ecaspar@lawyerscommittee.org
aago@lawyerscommittee.org

Daniel J. Kramer (admitted pro hac vice)
NY Bar No. 1979392
Joshua Hill (admitted pro hac vice)
NY Bar No. 4297826
Gregory F. Laufer (admitted pro hac vice)
NY Bar No. 4614764
Robert J. O'Loughlin (admitted pro hac vice)
NY Bar No. 5225966
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 492-0441
dkramer@paulweiss.com
jhill@paulweiss.com
glauffer@paulweiss.com
roloughlin@paulweiss.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Plaintiffs' Request for Clerk's Entry of Default Against Jacob Brown was filed on October 12, 2023 through the CM/ECF system and that true and correct copies of this filing and supporting documents were sent by first-class mail, postage pre-paid, to the following:

Jacob Brown
61 Woodlot Road
Ridge, NY 11961

and via email:

Bradley P. Marrs (VSB#25281)
Marrs & Henry
7202 Glen Forest Drive, Suite 307
Richmond, VA 23226
Tel. (804) 662-5716
Fax (804) 662-5712
bmarrs@marrs-henry.com

Glen K. Allen
Glen Allen Law (MD-NA)
5423 Springlake Way
Baltimore, MD 21212
Tel: (410) 802-6453
Glenallenlaw@protonmail.com

Counsel for Defendants

/s/ Michael R. Shebelskie

Michael R. Shebelskie, VSB No. 27459
HUNTON ANDREWS KURTH LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
Telephone: (804) 788-8200
Facsimile: (804) 788-8218
mshebelskie@HuntonAK.com

Counsel for Plaintiffs