

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

SEALED PLAINTIFF 1,

and

SEALED PLAINTIFF 2,

Plaintiffs,

v.

Civil Action No. 3:22-cv-00670

PATRIOT FRONT, *et al.*,

Defendants.

ORDER


This matter comes before the Court on Sealed Plaintiff 1 and Sealed Plaintiff 2's (collectively, the "Plaintiffs") Request for Clerk's Entry of Default Against Jacob Brown (the "Request"). (ECF No. 114.) In the Request, Plaintiffs explain that "[t]he Clerk of the Court issued a summons as to Defendant Jacob Brown on December 19, 2022" and, after "an investigator hired by Plaintiffs was able to locate and personally serve Mr. Brown in New York" on September 5, 2023, "[t]he executed summons was filed on September 11, 2023." (ECF No. 114, at 1–2.) Plaintiffs note that "[o]n 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. 114, at 2.) Citing Federal Rule of Civil Procedure 12(a)(1)(A), Plaintiffs write that Mr. Brown's "answer or other response was due no later than September 26, 2023", and "[n]o such answer or other response has been filed or served." (ECF No. 114, at 2.) Accordingly, Plaintiffs "request that

the Clerk of the Court enter default against Defendant Jacob Brown as to all claims asserted by Plaintiffs.” (ECF No. 114, at 2.)

The executed summons lists Mr. Brown’s address as “140 Powhatan Pkwy[,] Hampton, VA 23661”, and notes that Mr. Brown was personally served at “61 Woodlot Road, Ridge NY.” (ECF No. 109, at 1–2.) Given the discrepancy between these two addresses, the Court ORDERS Plaintiffs to explain the discrepancy between these addresses and why notice in Ridge, NY would properly undergird a finding that default should be entered against Mr. Brown.

It is SO ORDERED.

Date: 10/19/23
Richmond, Virginia



M. Hannah Lauck
United States District Judge