

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(WEST PALM BEACH DIVISION)**

CASE NO. 09-80479-CIV-HURLEY/HOPKINS
(Ancillary Proceeding to U.S.D.C. Case No. 08-81565-CIV-HURLEY/HOPKINS)

JONATHAN E. PERLMAN, Esq., as court
appointed Receiver of Creative Capital
Consortium, LLC, et al.,

Plaintiff,

v.

GEORGE JULIUS THEODULE,
an individual,

Defendant.

MOTION FOR CLERK'S DEFAULT AGAINST DEFENDANT
GEORGE JULIUS THEODULE

Plaintiff, Jonathan E. Perlman, as court appointed Receiver of Creative Capital Consortium, LLC, et al., by and through undersigned counsel, hereby files this Motion for Entry of Clerk's Default against Defendant **GEORGE JULIUS THEODULE** ("Defendant") and states in support thereof as follows:

1. Plaintiff caused Defendant to be duly served with the Summons and Complaint in this matter on December 16, 2009 (D.E. 10).
2. Defendant has failed to serve any paper on the undersigned or file any paper or appearance as required by law.
3. Plaintiff respectfully submits that he is entitled to the entry of a Clerk's default against Defendant pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.
4. Plaintiff has served a copy of this motion upon the Defendant via U.S Mail.

WHEREFORE, Plaintiff respectfully requests the Clerk of this Court to enter a default against Defendant and for such other and further relief as the court may deem proper and just.

Dated: March 2, 2010
Miami, Florida

Respectfully submitted,

By: /s/ David Lemoie
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*Attorneys for Receiver,
Jonathan E. Perlman, Esq.*

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2010, the foregoing document was served this day on GEORGE JULIUS THEODULE, 3601 Bridgeford Lane, Apt. #6, Modesto, CA 95356, by U.S. Mail

/s/ David Lemoie
David Lemoie, Esq.
Florida Bar No. 188311