

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

CASE NO. 09-81226-CIV- HURLEY  
(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.

DEVELOPMENT FUNDING AND  
SERVICES, LLC, DANIEL LAVAN, JR. and  
CAROLYN J. LAVAN,

Defendants.

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**MOTION FOR CLERK'S DEFAULT AGAINST DEFENDANT  
CAROLYN J. LAVAN**

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 Carolyn J. Lavan, ("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 May 4, 2010. (DE 20).

2. On October 27, 2009, Plaintiff filed his Motion for Leave to File Amended Complaint. (DE 5). On this date, a copy of the Motion and the Amended Complaint was duly served upon counsel for the Defendant.

3. The Court entered its Order Granting Plaintiff's Motion for Leave to Amend

Complaint and deeming the Amended Complaint (DE 5-2) filed as of January 14, 2010. (DE 13).

4. Defendant has failed to respond to or answer the Amended Complaint as required by law.

5. 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.

6. Plaintiff has served a copy of this motion upon the Defendant's counsel via electronic filing.

WHEREFORE, Plaintiff respectfully requests the Clerk of this Court to enter a default against Defendant, Development Funding and Services, LLC.

Dated: May 28, 2010  
Miami, Florida

Respectfully submitted,

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*Jonathan E. Perlman, Esq.*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 28, 2010, the foregoing document was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the below Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ David Lemoie  
David Lemoie, Esq.

**SERVICE LIST**

**JONATHAN E. PERLMAN, ESQ., as court appointed Receiver of Creative Capital Consortium, LLC, et al. v. DEVELOPMENT FUNDING AND SERVICES, LLC, DANIEL LAVAN, JR. and CAROLYN J. LAVAN  
CASE NO. 09-81226-Civ-Hurley/Hopkins  
United States District Court, Southern District of Florida**

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and Daniel Lavan, Jr.*

*Via CM/ECF*

Carolyn J. Lavan

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*Via U.S. Mail*