

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

CASE NO. 09-22326-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.

LAKAY INVESTMENT, INC., a
Florida Corporation,

Defendant.

**MOTION FOR CLERK'S DEFAULT AGAINST DEFENDANT
LAKAY INVESTMENT, INC.**

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 LAKAY INVESTMENT, INC., ("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 August 19, 2009 (D.E. 9).
2. Defendant corporation has failed to respond to or answer the Complaint through counsel as required by law.
3. Accordingly, 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: May 4, 2010
Miami, Florida

Respectfully submitted,

By: /s/ David P. Lemoie
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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 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, 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. Lakay Investments, Inc.

CASE NO. 09-22326-CIV-HURLEY

United States District Court, Southern District of Florida

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On behalf of the Defendant