
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

MALIBU MEDIA, LLC,

Case No.: 1:12-cv-00886-REB-MEH

Plaintiff,

v.

JEFF FANTALIS and BRUCE DUNN,

Defendants.

MOTION FOR ENTRY OF DEFAULT JUDGMENT

Plaintiff, MALIBU MEDIA, LLC (“Plaintiff”), by and through undersigned counsel, and pursuant to Fed.R.Civ.P. 55, hereby files its Motion for Entry of Default Judgment (“Motion”) against Defendant, BRUCE DUNN (“Defendant”), and in support thereof, states:

1. On April 4th, 2012, Plaintiff filed its Complaint in this action.
2. On May 4th, 2012, Defendant, BRUCE DUNN was served with the Summons and Complaint.
3. Defendant failed to plead or otherwise defend against Plaintiff’s Complaint.
4. On June 1st, 2012, Plaintiff filed and served a request that the Clerk of the Court enter Defendant’s default pursuant to Fed.R.Civ.P. 55(a).
5. Default was entered as to Defendant on June 14th, 2012.
6. Defendant is not a minor or incompetent person. See Decl. of Jason Kotzker, Esq.

7. This Motion is based on the allegations in Plaintiff's Complaint. Defendant has admitted all of the facts alleged therein by failing to plead or otherwise respond to the Complaint. See *Ortiz-Gonzalez v. Fonovisa*, 277 F.3d 59, 62-63 (1st Cir. 2002) ("A defaulting party is taken to have conceded the truth of the factual allegations in the complaint as establishing the grounds for liability as to which damages will be calculated.") (internal quotation marks and citation omitted).

8. This Motion is further based on the facts attested to in the Declaration of Jason Kotzker, Esq. and the Memorandum of Points and Authorities in Support of Motion for Entry of Default Judgment filed contemporaneously herewith, and the record of the proceedings and papers on file herein. These materials are sufficient to justify the requested relief.

WHEREFORE, Plaintiff, MALIBU MEDIA, LLC, respectfully requests entry of a default judgment in favor of Plaintiff and against Defendant, in the form of the Proposed Default Judgment and Permanent Injunction attached hereto, and for such other and further relief this Court deems just and proper.

Dated: July 17th, 2012.

Respectfully submitted,

By: /s/ Jason Kotzker

Jason Kotzker

jason@klgip.com

KOTZKER LAW GROUP

9609 S. University Blvd. #632134

Highlands Ranch, CO 80163

Phone: 303-875-5386

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 17th, 2012 I electronically filed the foregoing document with the Clerk of the Court and all parties using CM/ECF, and that service was perfected on Defendant, BRUCE DUNN, at 11441 E. Adriatic Place, Aurora, CO 80014.

By: /s/ Jason Kotzker
Jason Kotzker