

Adrienne D. Neal  
818 51<sup>st</sup> Street, SE  
Washington, DC 20019

Tuesday, April 12, 2011

VIA FIRST CLASS CERTIFIED MAIL

District Judge Rosemary Collyer  
333 Constitution Avenue, NW  
Washington, DC 20001

Nicholas A. Kurtz, Esq., on behalf of  
Dunlap, Grubb & Weaver, PLLC  
199 Liberty Street, SW  
Leesburg, VA 20175

*Let this be filed  
RM Collyer  
4/14/11*

**COPYRIGHT INFRINGEMENT OF *FAR CRY* – MOTION TO DISMISS DEFAULT RULING**

U.S. Federal District Court for the District of Columbia  
Civil Action No. 1:100-cv-00453-RMC  
Plaintiff: Boll AG

To Judge Collyer:

I would like to file a motion to dismiss the default ruling on this case based upon the fact that I never received the court issued summons on December 29, 2010. It is my understanding that a default ruling is allowed when the defendant fails to respond to a court summons. I contend that I never received the court summons, nor was the summons delivered to anyone that I know or with whom I reside. Therefore, without actually receiving the summons, it would be inaccurate for the court to proceed in a default ruling.

The case docket contains document #156, an affidavit of service, claiming that the summons was served to a Jay Harrison. In this affidavit, Jay Harrison is claimed to be a resident of 818 51<sup>st</sup> Street, SE Washington, DC 20019. However, I do not know anyone by the name of Jay Harrison. Jay Harrison does not live in my household. The only other person living in my house is my mother, Frances Neal. To support this information, I have included a copy of a reverse address look up conducted over the Internet. This report only lists two people: my name and that of my mother's.

Along with this look up report, I have attached a copy of the address pages from official bank statements addressed to my mother, Frances Neal. I have also included the look up report for the name Jay Harrison in Washington, DC. This report does not list any individual by that name claiming to live at my address.

From my understanding of the court documents I have read, a default ruling is justified when the defendant has been served and has failed to respond. The summons in this case was not delivered to me, nor was it delivered to anyone living in my household or to an individual I know. I do not know anyone by the name of Jay Harrison, I do not have any relation to anyone named Jay Harrison, nor is there any record of proof that a person by that name lives in my household. The private process server listed in the affidavit of service did not personally serve me has been repeatedly stated by the plaintiff's representation and recent motion to strike my letter from the docket dated February 24, 2011. If I was never in receipt of the summons issued on December 29, 2010, it is not appropriate to have a default ruling on a case in which, I, Adrienne Neal, the defendant was not properly served. Therefore, I would like to move that the default ruling in this case be dismissed.

Respectfully submitted by,



Adrienne D. Neal  
encl

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Achte/Neunte Boll Kino Beteiligungs GMBH & Co. KG	)	
	)	
	)	
Plaintiff	)	Case No.: 1:10-cv-00453 RMC
	)	
v.	)	
Adrienne Neal, et al.	)	
	)	
	)	
Defendant(s)	)	

**AFFIDAVIT OF SERVICE**

I, Ambiko Guice, a Private Process Server, being duly sworn, depose and say, I have been duly authorized to make service of the documents listed herein in the above entitled case. I am over eighteen years of age and am not a party to or otherwise interested in this matter.

DOCUMENT(S) SERVED: Summons and Second Amended Complaint for Copyright Infringement with Exhibit A

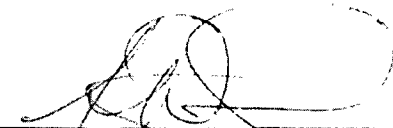
SERVE TO: Adrienne Neal  
SERVICE ADDRESS: 818 51st Street, SE, Washington, DC 20019

DATE SERVED: December 29, 2010 TIME SERVED: 8:15 AM  
PERSON SERVED: Jay Harrison, housemate of Adrienne Neal, a person of suitable age and discretion who stated that he/she resides therein with Adrienne Neal.

Jay Harrison is described herein as:  
Gender: Male Race/Skin: Black Hair: Black Age: 39 Height: 5'10" Weight: 200

I declare under penalty of perjury that I have read the foregoing information contained in the Affidavit of Service and that the facts stated in it are true and correct.

12-29-10  
Executed on:

  
 \_\_\_\_\_  
 Ambiko Guice  
 CAPITOL PROCESS SERVICES, INC.  
 1827 18th Street, NW  
 Washington, DC 20009-5526  
 (202) 667-0050

## WhitePages

2 Results for

### in Washington, DC

[See in map »](#)

**Or search:**

- **51st** in Washington, DC |
- Statewide

1. You?  
Claim & edit »
2. **Adrienne D Neal**  
(Age 35-39)
3. **51st St SE**  
**Washington, DC**
4. **Associated people:**  
Frances R Neal  
+ more...

[See full listing »](#)

1. You?  
Claim & edit »
2. **Frances R Neal**  
(Age 60-64)
3. **51st St SE**  
**Washington, DC**
4. **Associated people:**  
Adrienne D Neal  
+ more...

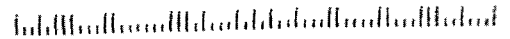
[See full listing »](#)

FIRS  
P  
U.S.  
LAS

**HOYA FEDERAL CREDIT UNION**  
3700 RESERVOIR RD. N.W  
WASHINGTON, DC 20007  
RETURN SERVICE REQUESTED

FRANCES R NEAL  
818 51ST ST. SE  
WASHINGTON, DC 20019

BGFGL11 20019



**WACHOVIA**

Regional Servicer R4057-016  
Post Office Box 40031  
Roanoke, VA 24022-0031

PRESORTED  
FIRST CLASS



00012026 01 AV 0.335 01 5DG 32



FRANCES R NEAL  
818 51ST ST SE  
WASHINGTON DC 20019-5831

P

CCB-G51 20019



## WhitePages

15 Results for

### Jay Harrison in Washington, DC

See in map »

Or search:

- [Last name only](#) |
- [Metro area](#)

1. [You?](#)  
Claim & edit »
2. **[Jay V Harrison](#)**  
(Age 55-59)
3. **[Chaplin St SE](#)**  
**Washington, DC**
4. **Associated people:**  
Dolores E Harrison  
+ more...

See full listing »

1. [You?](#)  
Claim & edit »
2. **[Jay Harrison](#)**  
Vice President @  
Conceptdesign of Maryland
3. **[Foundry St](#)**  
**Savage, MD**
- 4.

See full listing »

1. [You?](#)  
Claim & edit »
2. **[Jay W Harrison](#)**  
(Age 35-39)
3. **[New Country Ln](#)**  
**Columbia, MD**
4. **Associated people:**  
Leigh Harrison  
Katherine L Harrison  
+ more...

See full listing »

1. [You?](#)  
Claim & edit »
2. **[Jay S Harrison](#)**  
(Age 50-54)

3. **Day View Dr**  
**Woodbine, MD**
4. **Associated people:**  
Denise C Poole  
+ more...

[See full listing »](#)

1. You?  
Claim & edit »
2. **Ja Harrison**
3. **Starboard Dr**  
**District Heights, MD**
4. **Associated people:**  
unknown

[See full listing »](#)

1. You?  
Claim & edit »
2. **Ji R Harrison**  
(Age 40-44)
3. **Americana Dr**  
**Annandale, VA**
4. **Associated people:**  
unknown

[See full listing »](#)

1. You?  
Claim & edit »
2. **Jo A Harrison**  
(Age 50-54)
3. **Wandering Oak Way**  
**Beltsville, MD**
4. **Associated people:**  
Thomas H Harrison  
+ more...

[See full listing »](#)

1. You?  
Claim & edit »
2. **Joe C Harrison**
3. **Pelfrey Ln**  
**Fairfax, VA**
4. **Associated people:**  
Nora L Harrison  
Patricia J Harrison  
+ more...

[See full listing »](#)

1. You?  
Claim & edit »
2. **Joe C Harrison**  
(Age 65+)
3. **Majestic Ln**  
**Fairfax, VA**
4. **Associated people:**  
Patricia K Harrison  
+ more...

[See full listing »](#)

1. You?  
Claim & edit »
2. **Joey Harrison**
3. **Killington Ct**  
**White Plains, MD**  
Prior: Clinton, MD  
[Click to see more](#)
4. **Associated people:**  
unknown

[See full listing »](#)