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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

RIGHTHAVEN LLC, a Nevada limited-liability company,

Plaintiff,

v.

REALTY ONE GROUP, INC., a Nevada corporation; DAVID TINA, an individual; and MICHAEL J. NELSON, an individual,

Defendants.

Case No.: 2:10-cv-01036-LRH-PAL

**MOTION FOR ENTRY OF CLERK'S  
DEFAULT**

Plaintiff Righthaven LLC (“Righthaven”) hereby moves for entry of clerk’s default in this matter against Defendant Realty One Group, Inc. (“Realty One Group”) pursuant to Rule 55(b) of the Federal Rules of Civil Procedure.

Righthaven served Righthaven’s Summons (Docket No. 5-0) and Complaint (Docket No. 1-0) on Realty One Group on or about June 30, 2010, and Realty One Group failed to appear or otherwise respond to Righthaven’s Complaint within the time prescribed by the Federal Rules of Civil Procedure, as described in the accompanying Declaration of J. Charles Coons, Esq.

1 Accordingly, Righthaven moves for entry of clerk's default by the Clerk of this Court against  
2 Realty One Group.

3 Dated this fifth day of October, 2010.

4  
5 RIGHTHAVEN LLC

6 By: /s/ J. Charles Coons  
7 J. CHARLES COONS, ESQ.  
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**DECLARATION OF J. CHARLES COONS, ESQ.**

J. Charles Coons, Esq., declares under the pains and penalties of perjury:

1. I am an attorney-at-law admitted to practice in all courts of the State of Nevada. I represent Righthaven LLC (“Righthaven”) in the matter of *Righthaven LLC v. Realty One Group, Inc. et al*, case number 2:10-cv-01036-LRH-PAL in the United States District Court for the District of Nevada. I am over eighteen years old and I am competent to testify to the matters set forth herein.

2. The issuance of Summons (Docket No. 5-0) occurred on or about June 29, 2010.

3. I received notification on or about June 30, 2010 from process server John Lee (“Mr. Lee”) that Mr. Lee effectuated service of Righthaven’s Summons and Complaint (Docket No. 1-0) in this matter on Defendant Realty One Group, Inc. (“Realty One Group”) on June 30, 2010.

4. Proof of Service (Docket No. 10-0) was filed on July 13, 2010.

5. In the 96 days that have elapsed since June 30, 2010, Realty One Group has not answered or otherwise responded to Righthaven’s Complaint.

Signed and affirmed this fifth day of October, 2010 under the pains and penalties of perjury of the State of Nevada and of the United States of America.

/s/ J. Charles Coons  
J. CHARLES COONS, ESQ.