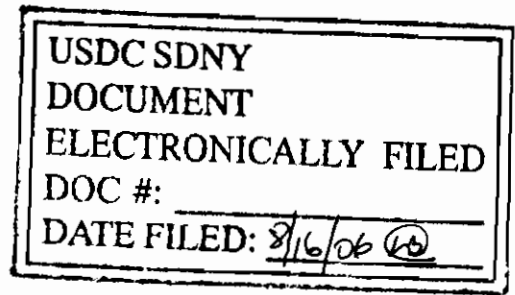


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
JANE DOES I, JANE DOES II AND JANE DOE :  
III, :  
 :  
 :  
 :  
 Plaintiffs, :  
 :  
 :  
 -against- :  
 :  
 :  
 EMMANUEL CONSTANT, :  
 a.k.a. TOTO CONSTANT, :  
 :  
 :  
 Defendant. :  
-----X

04 Civ. 10108 (SHS)

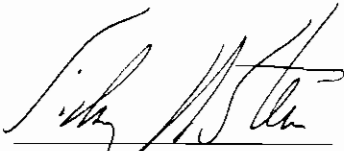
SIDNEY H. STEIN, U.S. District Judge.

This action was commenced on December 22, 2004 by the filing of the Summons and Complaint, which were personally served on Defendant Emmanuel Constant on January 14, 2005 by Ricardo R. Burnham in front of 26 Federal Plaza in New York, New York. Proof of service was filed on January 26, 2005. (Doe v. Constant, 04 Civ. 10108, Return of Service dated Jan. 14, 2005 by Ricardo R. Burnham.) Additionally, at the request of the Court, an Affidavit of Service was filed on January 24, 2006 indicating the steps taken by the process server to ensure that the individual he served was in fact Mr. Constant. The defendant has not answered the Complaint, and the time for answering the Complaint has expired. In addition, a Clerk's Certificate of Default issued on December 1, 2005. Plaintiff filed a Motion for Judgment by Default on December 7, 2005, which was returnable on December 21, 2005. Defendant did not respond to that Motion. Accordingly, the Court having subject matter jurisdiction over this matter pursuant to the Alien Tort Statute, 28 U.S.C. § 1350, and the Torture Victims Protection Act, 28 U.S.C. § 1350 (note), IT IS HEREBY ORDERED THAT:

Plaintiffs' Motion for Judgment by Default against defendant Emmanuel Constant is granted. Damages, if any, will be awarded in an amount to be determined according to proof at a hearing on damages in this matter. It is further ORDERED that the hearing on damages will commence on August 29, 2006 at 9:30 a.m. in Courtroom 23A at the U.S. Courthouse, 500 Pearl Street, New York, NY 10007. Plaintiffs are directed to serve a copy of this Order on defendant. Additionally, plaintiffs shall submit legal authority supporting the amount of damages sought before the conclusion of the hearing.

Dated: New York, New York  
August 16, 2006

SO ORDERED:



Sidney H. Stein, U.S.D.J.