

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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<b>JANE DOE I, JANE DOE II AND</b>	)	<b>Case No.: 04-CV-10108 (SHS)</b>
<b>JANE DOE III,</b>	)	
	)	
Plaintiffs,	)	
	)	<b>AMENDED NOTICE OF MOTION FOR</b>
v.	)	<b>JUDGMENT BY DEFAULT</b>
	)	
<b>EMMANUEL CONSTANT,</b>	)	
<b>a.k.a. TOTO CONSTANT,</b>	)	
	)	
Defendant.	)	
_____	)	

PLEASE TAKE NOTICE, that pursuant to Plaintiffs' Amended Memorandum of Points and Authorities in Support of Motion for Judgment by Default, the Affidavit in Support of Motion for Judgment by Default, and the exhibits annexed thereto, and upon all prior proceedings had herein, Plaintiffs Jane Doe I, Jane Doe II and Jane Doe III will move this Court on December 21, 2005 at the United States Courthouse, 500 Pearl Street, Courtroom 23A, at 11:00 a.m., or as soon thereafter as counsel can be heard, for a default judgment against Defendant Emmanuel Constant, together with such other and further relief as the Court deems just and proper.

This notice is given pursuant to the provision of Rules 5 and 55(b)(2) of the Federal Rules of Civil Procedure. Pursuant to Local Civil Rule 55.2(b), attached to this notice are copies of the Complaint and Summons filed in this case.

Dated: San Francisco, California  
December 7, 2005

Respectfully Submitted,

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/s/  
Moira Feeney

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To:

Emmanuel Constant

137-35 225<sup>th</sup> St.

Laurelton, NY 14413-2431

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 7<sup>th</sup> day of December, copies of the Amended Notice of Motion for Judgment by Default (with attached copy of original Summons and Complaint), Amended Memorandum of Points and Authorities in Support of Motion for Judgment by Default, Affidavit in Support of Motion for Judgment by Default, Clerk's Certificate of Default, and [Proposed] Order Granting Judgment by Default, filed by Plaintiffs Jane Doe I, Jane Doe II and Jane Doe III, were sent by first class mail to Defendant Emmanuel Constant at the following address:

Emmanuel Constant  
137-35 225<sup>th</sup> St.  
Laurelton, NY 14413-2431

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/s/  
Moira Feeney