JAMES C. SCOTT*
jscott@ralaw.com
JOSEPH M. RUSCAK*
jruscak@ralaw.com
ROETZEL & ANDRESS, LPA
222 South Main Street
Akron, OH 44308
Telephone: 330.376.2700
Facsimile: 330.376.4577
* *Admitted Pro Hac Vice*

RYAN M. NISHIMOTO (SBN 235208)
ryan.nishimoto@aporter.com
ARNOLD & PORTER, LLP
777 South Figueroa Street, 44th Floor
Los Angeles, CA 90017-5844
Telephone: 213.243.4000
Facsimile: 213.243.4199

Attorneys for Defendant and Counterclaimant
FARK, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

GOOSEBERRY NATURAL RESOURCES, LLC,

Plaintiff,

v.

ADVANCE MAGAZINE PUBLISHERS, INC., *et al.*,

Defendants.

FARK, INC.,

Counterclaimant,

v.

GOOSEBERRY NATURAL RESOURCES, LLC,

Counterdefendant.

CASE NO. 2:10-CV-09220-JHN-CW

FARK INC.'S REQUEST FOR ENTRY OF DEFAULT AGAINST GOOSEBERRY NATURAL RESOURCES, LLC

Hon. Jacqueline H. Nguyen

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA:

Defendant and counterclaimant, Fark, Inc. ("Fark") hereby requests that the Clerk of this Court enter default against plaintiff and counterdefendant Gooseberry Natural Resources, LLC ("Gooseberry") on the ground that Gooseberry has failed to respond to the counterclaims filed by Fark on March 28, 2011 (the "Counterclaims") (Dkt. #35) within the time prescribed by the Federal Rules of Civil Procedure. Fark served the Counterclaims on Gooseberry by mail on March 28, 2011, as evidenced by the proof of service on file with this Court. (Dkt. #35.) Federal Rules of Civil Procedure 12(a)(1)(B) and 6(d) required Gooseberry to respond to the Counterclaims by April 21, 2011. No answer or other responsive pleading has been filed or served upon Fark, and this Court's docket reflects the same. Fark therefore requests that the Clerk enter default against Gooseberry pursuant to Federal Rule of Civil Procedure 55(a).

Dated: April 22, 2011

ARNOLD & PORTER LLP

By: s/ Ryan M. Nishimoto
Ryan M. Nishimoto

ROETZEL & ANDRESS, LPA
JAMES C. SCOTT*
jscott@ralaw.com
JOSEPH M. RUSCAK*
jruscak@ralaw.com
222 South Main Street
Akron, OH 44308
Telephone: 330.376.2700
Facsimile: 330.376.4577

Attorneys for Defendant and Counterclaimant FARK, INC.

* *Admitted Pro Hac Vice*