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Advanced Messaging Technologies, Inc.*

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

j2 CLOUD SERVICES, LLC, AND
ADVANCED MESSAGING
TECHNOLOGIES, INC.

Plaintiffs,

v.

FAX87, FARJAD FANI, MATT
JOHNSON FINANCE, INC., ONE
VOIX, MIRALUNA CABERTE
YARDAN, STEVEN THONG WAY
SEN, ROBERT BEAULIEU,
ONLINEFAXES, SOLIDFAX,
FAXVISION, EFAX4LESS,
MYPHONEFAX, RESELLFAX,
AND DOES 1-10

Defendants.

Case No. 13-cv-05353-DDP (AJWx)

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR DEFAULT
JUDGMENT AGAINST DEFENDANTS
FAX87, MATT JOHNSON FINANCE,
INC., ONE VOIX, MIRALUNA
CABERTE YARDAN, ONLINEFAXES,
SOLIDFAX, FAXVISION, EFAX4LESS,
MYPHONEFAX AND RESELLFAX**

Date: November 28, 2016
Time: 10:00 a.m.
Courtroom: 9C

Judge: Hon. Dean D. Pregerson

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on November 28, 2016 at 10:00 a.m., or as soon thereafter as the Court allows, in Courtroom 9C, located at 350 W. 1st Street, Los Angeles, California 90012, the Plaintiffs j2 Cloud Services, LLC (formerly known as j2 Cloud Services, Inc.) and Advanced Messaging Technologies, Inc. (“Plaintiffs”) will and hereby move the Court to enter a default judgment against Defendants Fax87, Matt Johnson Finance, Inc., One Voix, Miraluna Caberte Yardan, OnlineFaxes, SolidFax, FaxVision, eFax4Less, MyPhoneFax And ResellFax (“Defaulting Defendants”).

In connection with this motion, Plaintiffs present proof of the following matters:

1. Defendants are not infants, incompetent persons, or in the military service or otherwise exempted under the Soldiers’ and Sailors’ Civil Relief Act of 1940.

2. Defendants have not filed responses to the First Amended Complaint (Dkt. No. 43) in this action.

3. None of the Defaulting Defendants have appeared personally or by representative and, therefore, the Defaulting Defendants are not entitled to notice of this motion under L.R. 55-1(e) and Fed. R. Civ. P. 55(b)(2). Nonetheless, Plaintiffs will provide notice by email to the any known email address for the Defaulting Defendants.

4. Plaintiffs are entitled to judgment against Defaulting Defendants on all claims pleaded in the First Amended and Supplemental Complaint (Dkt. No. 43).

5. As set forth in the attached Declaration of Guy Ruttenberg, Plaintiffs seek a monetary judgment, enhanced damages, attorney fees and costs, injunctive relief, an order that Defaulting Defendant Matt Johnson Finance, Inc. collect distributed assets, and final judgment against the Defaulting Defendants under Fed. R. Civ. P. 54(b).

1 This motion is based on this Notice of Motion, the Memorandum of Points
2 and Authorities in Support thereof, the Declarations of Guy Ruttenberg, Vivian
3 Fong and Sidney Blum in Support thereof, the Appendix of Exhibits submitted
4 herewith, all attached exhibits, all other pleadings and papers on record in this
5 action, and such other matters as the Court deems proper. The clerk has previously
6 entered default against Defaulting Defendants on May 13, 2016, June 8, 2016 and
7 August 31, 2016. (Dkt. Nos. 76, 94, 120).

8 There was no pre-filing conference pursuant to Local Rule 37-1 because a
9 notice of default was previously entered and Defendant has not answered or
10 responses to the Complaint herein.

11
12 DATED: October 31, 2016

By: /s/ Guy Ruttenberg

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CERTIFICATE OF SERVICE

I certify that I caused to be served counsel of record on October 31, 2016 with PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANTS FAX87, MATT JOHNSON FINANCE, INC., ONE VOIX, MIRALUNA CABERTE YARDAN, ONLINEFAXES, SOLIDFAX, FAXVISION, EFAX4LESS, MYPHONEFAX AND RESELLFAX via CM/ECF.

Executed on October 31, 2016 in Los Angeles, California.

By: /s/ Guy Ruttenberg
GUY RUTTENBERG