

FILED

1 MARY CUMMINS
2 Plaintiff
3 645 W. 9th St. #110-140
4 Los Angeles, CA 90015
5 In Pro Per
6 Telephone: (310) 877-4770
7 Email: mmmaryinla@aol.com

2012 JUN 29 AM 11:55

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

8 UNITED STATES DISTRICT COURT
9
10 CENTRAL DISTRICT OF CALIFORNIA
11
12 WESTERN DIVISION

11 MARY CUMMINS
12 Plaintiff

) Case No. CV12-04902-GHK (MRWx)

13 v.

14 AMANDA LOLLAR ~~aka BAT~~
15 ~~WORLD SANCTUARY an individual~~
16 ~~person~~, BAT WORLD SANCTUARY
17 an unknown business entity, JOHN
18 DOES 1-10
Defendants

) REQUEST FOR ENTRY OF
) DEFAULT OF DEFENDANTS
) AMANDA LOLLAR, BAT WORLD
) SANCTUARY

19 TO THE CLERK OF THE ABOVE-ENTITLED COURT:
20

21 Plaintiff Mary Cummins respectfully requests that the Clerk enter the defaults of
22 defendants Amanda Lollar and Bat World Sanctuary in this action on the grounds that
23 these defendants have failed to appear or otherwise respond to the Complaint within
24 the 21 day time period prescribed by the Federal Rules of Civil Procedure.
25

26 ///

27 ///

28 ///

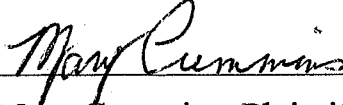
DECLARATION OF MARY CUMMINS

I, Mary Cummins, Plaintiff In Pro Per, declare and state:

1. I have personal knowledge of the following facts and could competently testify to these facts if called upon to do so.
2. This declaration is submitted in support of Plaintiff's request that the Clerk enter the defaults of defendants Amanda Lollar and Bat World Sanctuary
3. This action was filed on June 5, 2012. Plaintiff alleges among other things that defendants' negligence caused severe and permanent personal injury to Plaintiff.
4. I arranged for personal service of a copy of the Summons and Complaint upon each defendant on June 6, 2012, filed in this court, Exhibit 1.
5. Defendants were also served in person in Texas via process server June 11, 2012 at 10:15 a.m. Texas time by Ashley Barrett of PCS, Exhibit 2.
6. I emailed Defendants' Los Angeles attorney Stephen MacPhail June 11, 2012 stating that I filed a complaint, Exhibit 3. He did not respond.
7. Under Rule 12 Defendants were supposed to have replied by June 29, 2012.
8. By June 29, 2012 I had not received defendants' response to the complaint. I had not received an email, fax, phone call or even a letter from defendants.
9. Defendants are not minors or incompetent persons.
10. Defendants are not currently in the military service, therefore the Servicemembers Civil Relief Act does not apply.
11. I have attached to this declaration a copy of the proofs of service on file with this Court for the above named Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 29, 2012, in Los Angeles, California.



Mary Cummins, Plaintiff in Pro Per

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PROOF OF SERVICE BY MAIL
(FRCivP 5 (b)) or
(CCP 1013a, 2015.5) or
(FRAP 25 (d))

I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years.

I further declare that on the date hereof I served a copy of:

REQUEST FOR ENTRY OF DEFAULT OF DEFENDANTS AMANDA LOLLAR, BAT WORLD SANCTUARY

on the following interested parties by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at 645 W. 9th St. #110-140, Los Angeles, CA 90015-1640.

Amanda Lollar
217 N. Oak Avenue
Mineral Wells, Texas 76067

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed this day, June 29, 2012, at Los Angeles, California

Respectfully submitted,



Mary Cummins, Plaintiff

Dated: June 29, 2012

645 W. 9th St. #110-140

Los Angeles, CA 90015

In Pro Per

Telephone: (310) 877-4770

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PROOF OF SERVICE BY MAIL
(FRCivP 5 (b)) or
(CCP 1013a, 2015.5) or
(FRAP 25 (d))

I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years.

I further declare that on the date hereof I served a copy of:

REQUEST FOR ENTRY OF DEFAULT OF DEFENDANTS AMANDA LOLLAR, BAT WORLD SANCTUARY


on the following interested parties by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at 645 W. 9th St. #110-140, Los Angeles, CA 90015-1640.

Bat World Sanctuary
217 N. Oak Avenue
Mineral Wells, Texas 76067

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed this day, June 29, 2012, at Los Angeles, California

Respectfully submitted,



Mary Cummins, Plaintiff

Dated: June 29, 2012
645 W. 9th St. #110-140
Los Angeles, CA 90015
In Pro Per
Telephone: (310) 877-4770

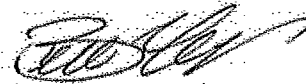
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Mary Cummins Plaintiff 645 West 9 th Street #110-140 Los Angeles, CA 90015-1640 In Pro Per		FOR COURT USE ONLY
TELEPHONE NO.: (310)877-4770 FAX NO. (Optional): E-MAIL ADDRESS (Optional): mmmaryinla@aol.com ATTORNEY FOR (Name):		
CASE NAME: Mary Cummins Vs Amanda Lollar, Bar World Sanctuary, John Does 1-10		CASE NUMBER: CV12-04902-GHK(MRWX)
PROOF OF SERVICE		Ref. No. or File No.: 30373

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I Mailed copies of: **Summons, Complaint and Civil Case Cover Sheet**
3. Party served: **Bat World Sanctuary**
4. Address where party was served: **217 North Oak Avenue, Mineral Wells, TX 76067**
5. I served the documents listed in item 2 by personally Mailing a copy to the party or person authorized to receive the documents:
 - (1) On (date): **6/6/2012**
 - (2) At (time):
6. Person who served papers
 - a. Name: **BRANDON YADEGAR**
 - b. Address: **On-Call Attorney & Messenger Services, Inc., 110 N. Doheny Drive, Beverly Hills, CA 90211.**
 - c. Telephone number: **(310) 666-1712**
 - d. I am:
 - (1) not a registered process server.
 - (2) exempt from registration under Business and Professions Code section 212350(b).
 - (3) a registered California process server:
 - (i) owner employee independent contractor
 - (ii) Registration No.:
 - (iii) County:
 - (4) an independent contractor of a registered California process server:
 - (i) Registration No.: **6756**
 - (iv) County: **Los Angeles**
7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/6/2012

BRANDON YADEGAR

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

PROOF OF SERVICE

Page 1

Exhibit 1

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Mary Cummins Plaintiff 645 West 9 th Street #110-140 Los Angeles, CA 90015-1640 In Pro Per TELEPHONE NO.: (310)877-4770 FAX NO. (Optional): E-MAIL ADDRESS (Optional): mmmaryinla@aol.com ATTORNEY FOR (Name):	FOR COURT USE ONLY
CASE NAME: Mary Cummins Vs Amanda Lollar, Bar World Sanctuary, John Does 1-10	CASE NUMBER: CV12-04902-GHK(MRWX)
PROOF OF SERVICE	

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I Mailed copies of: **Summons, Complaint and Civil Case Cover Sheet**
3. Party served: **Amanda Lollar**
4. Address where party was served: **217 North Oak Avenue, Mineral Wells, TX 76067**
5. I served the documents listed in item 2 by personally Mailing a copy to the party or person authorized to receive the documents:
 - (1) On (date): **6/6/2012**
 - (2) At (time):
6. Person who served papers
 - a. Name: **BRANDON YADEGAR**
 - b. Address: **On-Call Attorney & Messenger Services, Inc., 110 N. Doheny Drive, Beverly Hills, CA 90211.**
 - c. Telephone number: **(310) 666-1712**
 - d. I am:
 - (1) not a registered process server.
 - (2) exempt from registration under Business and Professions Code section 212350(b).
 - (3) a registered California process server:
 - (i) owner employee independent contractor.
 - (ii) Registration No.:
 - (iii) County:
 - (4) an independent contractor of a registered California process server:
 - (i) Registration No.: **6756**
 - (iv) County: **Los Angeles**
7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **6/6/2012**

Brandon Yadegar

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY: Mary Cummins 645 W. 9th St. # 110-140 Los Angeles, CA 90015</p> <p>TELEPHONE NO.: (310) 877-4770</p>	<p>FOR COURT USE ONLY</p>
<p>ATTORNEY FOR: UNITED STATES DISTRICT COURT COURT OF CALIFORNIA, COUNTY OF</p>	
<p>PLAINTIFF: MARY CUMMINS DEFENDANT: AMANDA LOLLAR, ET AL.,</p>	<p>CASE NUMBER: CV12-04902-GHK</p>
<p>PROOF OF SERVICE</p>	<p>Ref. No. or File No.:</p>

- I am over 18 years of age and not a party to this action.
 - Received by PCS on 6/29/2012 at 11:00 am to be served on AMANDA LOLLAR, 401 W BELKNAP, 8TH FLOOR, COURTROOM 352, FORT WORTH, TARRANT County, TX.
 - INDIVIDUALLY/PERSONALLY served by delivering a true copy of the SUMMONS WITH CERTIFICATION AND NOTICE OF INTERESTED PARTIES AND COMPLAINT with the date and hour of service endorsed thereon by me, to: AMANDA LOLLAR at the address of: 401 W BELKNAP, 8TH FLOOR, COURTROOM 352, FORT WORTH, TARRANT County, TX, and informed said person of the contents therein, in compliance with state statutes.
 - Date and Time of service: 6/11/2012 at 10:15 am
 - My name, address, telephone number, and, if applicable, county of registration and number are:
 Name: Ashley Barrett
 Firm: PCS
 Address: 111 E. Rosedale St., Fort Worth, TX 76104
 Telephone number: (817) 333-1655
 Registration Number: # SCH 5294 EXP. 1/31/15
 County: All Areas
 The fee for the service was:
 - I declare under penalty of perjury under the laws of the State of CALIFORNIA that the foregoing is true and correct.
- Date:

Ashley Barrett _____ Ashley Barrett _____
(TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS) (SIGNATURE OF PERSON WHO SERVED THE PAPERS)

Exhibit 2

ATTORNEY OR PARTY WITHOUT ATTORNEY: Mary Cummins 645 W. 9th St. # 110-140 Los Angeles, CA 90015 TELEPHONE NO.: (310) 877-4776 ATTORNEY FOR:	FOR COURT USE ONLY CASE NUMBER: CV12-04902-GHK Ref. No. or File No.:
UNITED STATES DISTRICT COURT COURT OF CALIFORNIA, COUNTY OF	
PLAINTIFF: MARY CUMMINS DEFENDANT: AMANDA LOLLAR, ET AL.,	CASE NUMBER: CV12-04902-GHK
PROOF OF SERVICE	

1. I am over 18 years of age and not a party to this action.
2. Received by PCS on 6/9/2012 at 11:00 am to be served on: BAT WORLD SANCTUARY, 401 W BELKNAP, 8TH FLOOR, COURTROOM 352, FORT WORTH, TARRANT County, TX.
3. served an AUTHORIZED entity by delivering a true copy of the SUMMONS WITH CERTIFICATION AND NOTICE OF INTERESTED PARTIES AND COMPLAINT with the date and hour of service endorsed thereon by me, to: AMANDA LOLLAR as AUTHORIZED at the address of: 401 W BELKNAP, 8TH FLOOR, COURTROOM 352, FORT WORTH, TARRANT County, TX, who stated they are authorized to accept service for BAT WORLD SANCTUARY, and informed said person of the contents therein, in compliance with state statutes.
4. Date and Time of service: 6/11/2012 at 10:15 am
5. My name, address, telephone number, and, if applicable, county of registration and number are:
 Name: Ashley Barrett
 Firm: PCS
 Address: 111 E. Rosedale St., Fort Worth, TX 76104
 Telephone number: (817) 335-1655
 Registration Number: # SCH 9294 EXP: 1/31/15
 County: All Areas
 The fee for the service was:

6. I declare under penalty of perjury under the laws of the State of CALIFORNIA that the foregoing is true and correct.

Date:

Ashley Barrett

 (TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)



 (SIGNATURE OF PERSON WHO SERVED THE PAPERS)

From: Mary Cummins <mmmaryinla@aol.com>
Subject: **Cummins v Lollar - PI claim filed and served**
Date: June 11, 2012 4:10:49 PM PDT
To: Stephen MacPhail <smacphail@braggkuluva.com>



It's on pacer. It's been assigned to a different judge. I wouldn't have a problem if judge Gee took the case.

Sent from my iPhone which has an evil spell checker/editor

Exhibit 3