

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:21-cv-23472-RNS

Ryan Birmingham, Roman Leonov, Steven Hansen,
Mitchell Parent, and Jonathan Zarley, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

Alex Doe, *et al.*,

Defendants.

MOTION FOR ENTRY OF CLERK'S DEFAULT

Plaintiffs Ryan Birmingham, Roman Leonov, Steven Hansen, Mitchell Parent, and Jonathan Zarley, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and as directed by the Court, *see* May 17, 2022 Order [ECF No. 133], request the Clerk of the Court to enter a default against the following Defendants (collectively “Unresponsive Defendants”) for failing to respond within 14 days of service of the Amended Complaint [ECF No. 64], as prescribed by Rule 15(a)(3):

- (1) Notus LLC (“Notus”);
- (2) Shopostar LLC (“Shopostar”);
- (3) Auro Advantages LLC (“Auro”);
- (4) Global E-Advantages LLC (“Global”);
- (5) Grovee LLC (“Grovee”);
- (6) Easy Com LLC (“Easy Com”);
- (7) Borys Konovalenko (“Konovalenko”);
- (8) Alla Skala (“Skala”);
- (9) Brass Marker s.r.o (“Brass Marker”);
- (10) Ester Holdings, Inc. (“Ester”);
- (11) The Investing Online (“Investing Online”);
- (12) Ivan Hrechaniuk (“Hrechaniuk”);
- (13) Manuchar Daraselia (“Daraselia”);
- (14) Mayon Holding Ltd. (“Mayon Holding”);
- (15) Mayon Solutions, Ltd. (“Mayon UK”);
- (16) Olga Abrikosova (“Abrikosova”);

- (17) Olga Tielly (“Tielly”);
- (18) Peter Mohlnyi (“Mohlnyi”);
- (19) Profit Media Group LP (“Profit Media”);
- (20) Sergiy Prokopenko (“Prokopenko”);
- (21) Wealthy Developments LP (“Wealthy”);
- (22) Marina Garda (“Garda”);
- (23) Trans-Konsalt MR (“Trans-Konsalt”);
- (24) VDD-Trading, Ltd (“VDD”);
- (25) Art Sea Group Ltd (“Art Sea”); and
- (26) Dmytro Fokin (“Fokin”).

In support of the Motion, Plaintiffs provide the below table listing each Unresponsive Defendant, the manner and dates of service, docket references to the related returns of service, and the response deadline for each.

Defendant	Service Date and Type	Response Deadline
Plaintiffs served via a licensed processed server the Order granting Plaintiffs’ Unopposed Motion to Amend [ECF No. 63], Amended Complaint [ECF No. 64], Summons [ECF No. 79], and Plaintiffs’ Second Motion for Alternate Service [ECF No. 93] on the following Defendants:		
(1) Notus	March 21, 2022 by registered agent. <i>See</i> ECF No. 102-6.	April 4, 2022
(2) Shopostar	March 28, 2022 by registered agent. <i>See</i> ECF No. 102-1.	April 11, 2022
(3) Auro	March 23, 2022 by corporate service. <i>See</i> ECF No. 102-1.	April 6, 2022
(4) Global	March 23, 2022 by corporate service. <i>See</i> ECF No. 102-2.	April 6, 2022
(5) Grovee	March 23, 2022 by corporate service. <i>See</i> ECF No. 102-3.	April 6, 2022
(6) Easy Com	March 24, 2022 by corporate service. <i>See</i> ECF No. 102-4.	April 7, 2022
(7) Konovalenko	April 19, 2022 by substitute service. <i>See</i> ECF No. 123-1.	May 3, 2022
The Court authorized Plaintiffs to serve Defendants residing outside the United States (other than those that may be in Ukraine) by email, social media direct messaging (i.e., Facebook or LinkedIn), FedEx International Mail, return receipt requested, and publication. <i>See</i> Mar. 24, 2022 Order [ECF No. 98].		
The following Defendants were served with the Amended Complaint [ECF No. 64], Summons [ECF No. 79], and Order granting alternate service [ECF No. 98] pursuant to the following means:		

Defendant	Service Date and Type	Response Deadline
(8) Skala	(i) April 18, 2022 by FedEx; (ii) April 22, 2022 by email to supernotususa@gmail.com. <i>See</i> ECF No. 124 at 2.	May 2, 2022
(9) Brass Marker	April 27, 2022 by email to mazzone@bk.ru. <i>See id.</i>	May 11, 2022
(10) Ester	April 22, 2022 by email to finance@esterholdings.com. <i>See id.</i> at 3.	May 6, 2022
(11) Investing Online	April 22, 2022 by email to john@theinvesting.online. <i>See id.</i>	May 6, 2022
(12) Hrechaniuk	April 27, 2022 by social media to his LinkedIn profile. <i>See id.</i>	May 11, 2022
(13) Daraselia	April 27, 2022 by social media to his LinkedIn profile. <i>See id.</i> at 4.	May 11, 2022
(14) Mayon Holding	(i) April 19, 2022 by FedEx; (ii) April 22, 2022 by email to mayonsolutionshkltd@gmail.com. <i>See id.</i>	May 3, 2022
(15) Mayon UK	(i) April 19, 2022 by FedEx; (ii) April 22, 2022 by email to info@mayon.solutions and sales@mayon.solutions. <i>See id.</i>	May 3, 2022
(16) Abrikosova	April 22, 2022 by email to olga.abrikosova@gmail.com. <i>See id.</i> at 5.	May 6, 2022
(17) Tielly	April 19, 2022 by FedEx. <i>See id.</i>	May 3, 2022
(18) Mohlnyi	(i) April 19, 2022 by FedEx; (ii) April 22, 2022 by email to peter.mohlnyi@outlook.com. <i>See id.</i>	May 3, 2022
(19) Profit Media	April 19, 2022 by FedEx. <i>See id.</i> at 5–6.	May 3, 2022
(20) Prokopenko	April 27, 2022 by email to mazzone@bk.ru. <i>See id.</i> at 6.	May 11, 2022
(21) Wealthy	April 19, 2022 by FedEx. <i>See id.</i>	May 3, 2022
(22) Garda	April 19, 2022 by publication on Plaintiffs' website. <i>See</i> ECF No. 139 at 2.	May 3, 2022
(23) Trans-Konsalt	April 19, 2022 by publication on Plaintiffs' website. <i>See id.</i>	May 3, 2022
(24) VDD	April 19, 2022 by publication on Plaintiffs' website. <i>See id.</i>	May 3, 2022
(25) Art Sea	April 19, 2022 by publication on Plaintiffs' website. <i>See id.</i>	May 3, 2022
(26) Fokin	April 19, 2022 by publication on Plaintiffs' website. <i>See id.</i>	May 3, 2022

Figure 1: Unresponsive Defendants

Defendants must respond to an amended complaint within 14 days of service. *See* Fed. R. Civ. P. 15(a)(3); *see also id.* 12(a)(1)(A) (requiring defendants answer after being served with a summons and complaint). Each Unresponsive Defendant has failed to respond within the prescribed time. *See* Figure 1: Unresponsive Defendants (providing references to each affidavit of service). In this context, “the clerk must enter the party’s default.” Fed. R. Civ. P. 55(a).

WHEREFORE, the Plaintiffs respectfully request the Clerk to enter a default against each of the aforementioned Unresponsive Defendants.

Dated: May 27, 2022.

Respectfully submitted,

/s/ Dennis A. González

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on or about May 27, 2022, a true and accurate copy of Plaintiffs' Motion for Entry of Clerk's Default was served on counsel of record via the CM/ECF system. The undersigned further certifies that a copy of the foregoing documents was served upon Defendants at the addresses listed below via mail or as otherwise indicated:

Notus LLC c/o Registered Agent Colorado Registered Agent LLC 1942 Broadway Street, Suite 314C, Boulder, CO 80302	Brass Marker s.r.o. Via email to mazzone@bk.ru
Shopostar LLC c/o Registered Agent Colorado Registered Agent LLC 1942 Broadway Street, Suite 314C, Boulder, CO 80302	Ester Holdings, Inc. Via email to finance@esterholdings.com
Auro Advantages LLC c/o Registered Agent Corporation Service Company 251 Little Falls Dr., Wilmington, DE 19808	The Investing Online c/o John Pruglos Via email to john@theinvesting.online
Global E-Advantages LLC c/o Registered Agent North West Registered Agent LLC 8 The Green, Suite B, Dover, DE 19901	Ivan Hrechaniuk Via direct message to his LinkedIn profile
Grovec LLC c/o Registered Agent Delaware Business Incorporators 3422 Old Capitol Trail, Suite 700 Wilmington, DE 19808	Manuchar Daraselia Via direct message to his LinkedIn profile
Easy Com LLC c/o Registered Agent 159 Main Street, Unit 100, Nashua, NH 03060	Mayon Holding Ltd. Via email to mayonsolutionshkltd@gmail.com
Borys Konovalenko Via email to borys.konovalenko@gmail.com	Mayon Solutions, Ltd. Via email to info@mayon.solutions and sales@mayon.solutions
Alla Skala Via email to supernotususa@gmail.com	Olga Abrikosova Via email to olga.abrikosova@gmail.com

<p>Olga Tielly 3rd Floor 207 Regent Street, London, United Kingdom W1B3HH</p>	<p>Marina Garda Via publication on Plaintiffs' website.</p>
<p>Peter Mohlnyi Via email to peter.mohylnyi@outlook.com</p>	<p>Trans-Konsalt MR Via publication on Plaintiffs' website.</p>
<p>Profit Media Group LP 4 Queen Street, Suite 1, Edinburgh, GB, EH21JE</p>	<p>VDD-Trading, Ltd Via publication on Plaintiffs' website.</p>
<p>Sergiy Prokopenko c/o Brass Marker s.r.o. Via email to mazzone@bk.ru</p>	<p>Art Sea Group Ltd Via publication on Plaintiffs' website.</p>
<p>Wealthy Developments LP 4 Queen Street, Suite 1, Edinburgh, United Kingdom EH21JE</p>	<p>Dmytro Fokin Via publication on Plaintiffs' website.</p>

Respectfully submitted,

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