IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER, COUNTY, FLORIDA

KLODJAN DOLLMA, on behalf of himself)
and all others similarly situated,)
) Case No. 11-2024-CA-000641-0001-XX
Plaintiff,)
) <u>CLASS REPRESENTATION</u>
v.)
)
LENA WALTER, CRYPTOHEROM, and)
JOHN DOE NOS. 1-25)
)
Defendants.)
)

PLAINTIFF'S MOTION FOR DEFAULT AGAINST ALL DEFENDANTS

COMES NOW, Plaintiff KLODJAN DOLLMA, (hereinafter referred to as "Plaintiff"), pursuant to Florida Rules of Civil Procedure § 1.500(b), by and through the undersigned counsel respectfully submit the following Motion for Default against Defendants LENA WALTER, CRYPTOHEROM, and JOHN DOES NOS. 1-15 (hereinafter collectively referred to as "Defendants"), and in support states as follows:

- 1. Plaintiff's Complaint was filed against Defendants on March 26, 2024 for conversion and injunctive relief.
- 2. Due to the nature of the Defendants in this case, the Plaintiff filed a motion under Fla. Stat. § 48.102 in order to effectuate service on the Defendants through alternate means, to wit: an IDM process through Defendants accounts as outlined in the Motion, [D.E. 23]. The Court granted the Motion. [D.E. 24]

3. The Defendants were served on May 17, 2024. See proof of service attached as

Exhibit 1 to this Motion.

4. The Defendants had twenty (20) days from the date of service of process to

appropriately respond to the Complaint. See Fla. R. Civ. P. 1.140.

5. The Defendants have not filed any document in this case and has thus have not

responded to the Complaint in accordance with Rule 1.140 of the Florida Rules of

Civil Procedure.

6. Rule 1.500(b), Florida Rules of Civil Procedure, allows a Pleader to move the Court to

enter a Court ordered Default if the opposing party fails to plead timely, or otherwise

defend the action.

7. Because more than twenty days have passed since the Plaintiff served process, and

because the Defendants have failed to file any document in this case, the Court may

enter a default. See Fla. R. Civ. P. 1.500(b).

8. A Non-Military Affidavit has been filed in this case for Defendant LENA WALTER.

9. Accordingly, the Court should grant this Motion for Entry of Court Default.

WHEREFORE, for the foregoing reasons, Plaintiff KLODJAN DOLLMA respectfully

requests that this Honorable Court enter an order granting Plaintiff's Motion for Default, and

other relief as this Court deems just and proper.

Respectfully Submitted

<u>/s/ Jose J. Teurbe-Tolon</u>

JOSE J. TEURBE-TOLON, ESQ.

FL BAR NO. 87791

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, 2024, the foregoing MOTION FOR DEFAULT has been served on the Defendants who have not yet entered an appearance on this case, by placing the foregoing and all attachments in the service website which was authorized by the Court in its Order of May 16, 2024.

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By: /s/ Jose Teurbe-Tolon

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