

FILED

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

2021 NOV -5 P 12: 29

DEAFUEH MONBO
JUAHDI MONBO

Plaintiffs

v.

ANGELA D. CAESAR (individually and in
her official capacity; JACQUELINE M.
FRANCIS (individually and in her official
capacity)

Defendants

* Civil Action No: 1; 21CV01230 MSN/TCB

*
* JURY TRIAL DEMANDED
*

* * * * *

COMPLAINT

DEAFUEH MONBO and JUAHDI MONBO (hereinafter "PLAINTIFFS"), in their Complaint for Actual Damages, Declaratory Judgment and Injunctive Relief, allege and state to this honorable Court as follows:

NATURE OF THE ACTION

1. **PLAINTIFFS bring this action against the Defendants to redress the deprivation of well-established rights secured to them by the First Amendment of the Constitution of the United States of America, and the Federal Rules of Civil Procedure.**

JURISDICTION AND VENUE

2. **This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §1331, 42 U.S.C. §1985, 42 U.S.C. §1986, and Federal Declaratory Judgment Act, 28 U.S.C. §2201, §2202.**

3. **This Court has general and/or specific personal jurisdiction over Defendants pursuant to 28 U.S. Code § 1332(a).**

4. **Venue is proper in the district pursuant to 28 U.S.C. § 1391.**

PARTIES

Plaintiffs:

5. **Plaintiff Juahti is a Ph.D. candidate with specialties in Immunology and Virology. Plaintiff Juahti also holds a Master's Degree in Biotechnology. Plaintiff Juahti began her scientific career after graduating college at age 20 when she was awarded a Pre-Doctoral Intramural Research Training Fellowship at the National Institutes of Health. Plaintiff Juahti is a published scientist who has dedicated over twenty (20) years of research efforts towards finding therapies**

for viral diseases and cancer. Plaintiff Juahdi is the co-claimant of a \$22 Million federal claim pending in the United States District Court. Plaintiff Juahdi is an African-American litigant.

6. Plaintiff Deafueh is a licensed Certified Public Accountant (C.P.A.). Plaintiff Deafueh has been a C.P.A. since the young age of 25. Plaintiff Deafueh also holds a Master's Degree, which she also obtained at the age of 25. Plaintiff Deafueh is the first person in the United States to hold both a C.P.A. license and a Master's Degree at the age of 25. Plaintiff Deafueh is widely recognized for her professional authority on accounting subject matters and professional expertise in accounting and financial management practices. Plaintiff Deafueh has been recognized as International Person of the Year by the International Biographical Centre of England in 1999 at the age of 27. Plaintiff Deafueh has also been recognized as "Who's Who in America's Finance & Industry" by Marquis Who's Who's, a renowned publisher of the top business professionals and achievers from the United States and around the world in 2000 at the age of 28. Plaintiff Deafueh has also served as an adjunct Accounting Professor of Howard Community College from 2002 – 2004, where she instructed college students on principles of accounting. Plaintiff Deafueh is the author of Accounting 101 Made Easy: Principles of Accounting I, published in 2002 at the age of 30. Plaintiff Deafueh is also a business owner and has owned multiple businesses since the age of 29. Today, Plaintiff Deafueh does business throughout the United States and internationally. Plaintiff Deafueh advises key government agencies and corporate management on accounting best practices. Plaintiff Deafueh's clients include billion-dollar institutions. Plaintiff Deafueh is the co-claimant of a \$22 Million federal claim pending in the United States District Court. Plaintiff Deafueh is an African-American litigant.

Defendants:

7. **CLERK ANGELA CAESAR** (hereinafter "Clerk") resides and/or works in this district of this Court. Angela Caesar is sued in her official and individual capacity. At all times relevant, Angela Caesar was and is the Clerk of the Court for the U.S. District Court. Angela Caesar is responsible for filing pleadings and papers in the U. S. District Court. Angela Caesar is also responsible for performing ministerial acts or tasks in the U.S. District Court.

8. **CLERK JACQUELINE FRANCIS** (hereinafter "Clerk") resides and/or works in this district of this Court. Jacqueline Francis is sued in her official and individual capacity. At all times relevant, Jacqueline Francis was and is a Civil Case Administrative Clerk of the U.S. District Court assigned to Plaintiffs' Case. Jacqueline Francis is responsible for maintaining and processing civil case information in the U.S. District Court. Jacqueline Francis is also responsible for performing ministerial acts or tasks in the U.S. District Court.

CO-CONSPIRATORS ACTING IN CONCERT

9. Each of the Clerk has acted in concert with various co-conspirators in the interference of civil rights and the deprivation of equal protection of the law as alleged in this Complaint. Plaintiffs are informed and believe, and on this basis allege, that at all times herein mentioned, each of the Clerks was co-conspirator of each of the other Clerks and in doing the civil rights violations and illegal activities against the Plaintiffs described herein, was acting within the course and scope of their authority as co-conspirators with the permission and consent of their Co-Clerks and, further, that the Clerks and each of them have authorized, ratified, and approved the acts of the other Clerks with full knowledge of those acts. Clerks are properly deemed to be acting in concert because the combined force of their actions serves to multiply the harm caused to Plaintiffs.

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED

10. First Amendment

The First Amendment of the United States Constitution guarantees the right of citizens to petition the government for a redress of grievances guarantees people the right to ask the government to provide relief for a wrong through litigation or other governmental action.

11. 42 U.S.C § 1985 — Conspiracy to Interfere with Civil Rights

42 U.S.C § 1985(2) – If two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

42 U.S.C § 1985(3) – A conspiracy involving two or more persons for the purpose of depriving, directly or indirectly, a person or class of persons of the equal protection of the laws and an act in furtherance of the conspiracy which causes injury to a person or property, or a deprivation of any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

12. 42 U.S.C § 1986 — Action for Neglect to Prevent

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the Case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action.

FEDERAL RULES OF CIVIL PROCEDURE INVOLVED

13. **Rule 55(a) — Entering Default**

(a) *Entering a Default.* When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the Clerk must enter the party's default.

14. **Rule 55(b) — Entering Default Judgment**

(1) *By the Clerk.* If the plaintiff's claim is for a sum certain or a sum that can be made certain by computation, the Clerk—on the plaintiff's request, with an affidavit showing the amount due — must enter judgment for that amount and costs against a defendant who has been defaulted for not appearing and who is neither a minor nor an incompetent person.

(2) *By the Court.* In all other cases, the party must apply to the Court for a default judgment. A default judgment may be entered against a minor or incompetent person only if represented by a general guardian, conservator, or other like fiduciary who has appeared. If the party against whom a default judgment is sought has appeared personally or by a representative, that party or its representative must be served with written notice of the application at least 7 days before the hearing. The Court may conduct hearings or make referrals—preserving any federal statutory right to a jury trial—when, to enter or effectuate judgment, it needs to:

- (A) conduct an accounting;
- (B) determine the amount of damages;
- (C) establish the truth of any allegation by evidence; or
- (D) investigate any other matter

FACTUAL BACKGROUND

I. Background

15. Plaintiffs filed their Complaint (Case No. 1:21-CV-02287) in the United States District Court for the District of Columbia on August 27, 2021.

16. The Defendants were served with the Complaint on September 8, 2021. The proof of service is attached hereto as **Appendix 1**

17. The Defendants were required to respond to the Complaint by September 29, 2021.

18. Defendants failed to appear, plead or otherwise defend the Complaint by September 29, 2021.

19. On October 5, 2021, after the Defendants' deadline to respond had passed, the Plaintiffs properly filed for an Entry for Default against the Defendants pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. **Appendix 2**

20. The Clerk has yet to enter that default entry against the Defendants.

21. The Clerks acting in conspiracy, willfully refused to enter the Entry of Default against the Defendants.

22. On October 21, 2021, Plaintiffs moved the Court to enter a Default Judgment against Defendants pursuant to Rule 55(b) of the Federal Rules of Civil Procedure. **Appendix 3**

23. Although the District Court received the Motion For Default Judgment on October 21, 2021, the Clerks failed to enter the Motion For Default Judgment on the docket.

24. The Clerks conspired not to record the Plaintiffs' Motion For Default Judgment on the docket to deprive the Plaintiffs of their first amendment rights, equal protection rights, and constitutional rights.

25. The failure to enter the Entry of Default pursuant to Rule 55(a), has been done in a willful, wanton, and intentional act, by its operation and caused injury by depriving Plaintiffs of their right to an Entry of Default against the Defendants.

26. The Clerks conspired to obstruct the due course of justice by refusing to enter the Entry of Default against the Defendants with the intent to deny the Plaintiffs equal protection of the law and to deny the Plaintiffs of their first amendment right to petition the Court (government) to provide relief for a wrong through litigation. (i.e., constitutional rights)

II. Entry of Default and Default Judgment

27. Under the Federal Rules, a default judgment against a non-responsive defendant is secured in two steps. First, the moving party must show that the non-moving party "has failed to plead or otherwise defend" within the time allotted by the Federal Rules. Upon such a showing, the Clerk of Court "**must enter the party's default.**" Fed. R. Civ. P. 55(a) (emphasis added). Second, after the entry of default, the moving party "must apply to the court for a default judgment." Fed. R. Civ. P. 55(b)(2).

28. Here, the Clerk has failed to enter the Entry of Default in the Plaintiffs' Case through no fault of the Plaintiffs, who have done all that is required of them under Rule 55(a).

29. A "party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and "that failure is shown by affidavit or otherwise," the Clerk "**must**" enter the default. Fed. R. Civ. P. 55(a) (emphasis added).

30. The Plaintiffs should not be disenfranchised, and the Defendants' failure to adhere to the deadline to respond to the Complaint (as set forth in the Federal Rules) should not be excused, simply because the Clerk has neglected to perform her required duty.

31. The Court of Appeals has determined that entry of default under Rule 55(a) is simply "a ministerial step," *City of New York v. Mickalis Pawn Shop, L.L.C.*, 645 F.3d 114, 128 (2d Cir. 2011), and has allowed default judgment to stand even where no entry of default was on the docket, *Beller & Keller v. Tyler*, 120 F.3d 21, 22 n.1 (2d Cir. 1997).

32. With these principles in mind, the proper course in this instance is to declare that **DEFAULT HAS ENTERED** against the Defendants and to consider the Plaintiffs' Motion For Default Judgment.

III. Entry of Default Cut Offs the Defendants' Right to Appear in the Case.

33. "Entry of default cuts off a defendant's right to appear in the action, file counterclaims, and present a defense." *Wahoo Int'l v. Phix Doctor, Inc.*, 2014 WL 5465373, at *2 n.1 (S.D. Cal. October 28, 2014) (citing *Clifton v. Tomb*, 21 F.2d 893, 897 (4th Cir. 1927)); see also *J&J Sports Prods. Inc. v. Kuo*, 2007 WL 4116209, at *2 (W.D. Tex. November 15, 2007) (entry of default "cuts off the defendant's right to file any document other than a motion to set aside the entry of default"); *Kapadia v. Thompson*, 2008 WL 5225813, at *3 (D. Ariz. December 15, 2008) (same).

34. Here, the Defendants' right to file a response to the Plaintiffs' Complaint was cut off on October 5, 2021. **Appendix 2**

IV. Clerks Deprived Plaintiffs of Equal Protection, Equal Privileges, and Have Interfered with Plaintiffs' Right to Petition the Court for Relief Due to Racial Animus.

35. Plaintiffs are African-American litigants. Due to racial animus, the Clerks deviated from the Federal Rules of Civil Procedure and, as a result, violated the Plaintiffs' First Amendment Rights and Equal Protection Rights.

36. The Clerks have conspired to willfully refuse to enter the Entry of Default against the Defendants to impede, hinder, obstruct, and defeat the due course of justice in the Plaintiffs' Case, with the intent to deny the Plaintiffs equal protection of the laws and equal right to Rule 55(a).

37. Plaintiffs have been injured, and Plaintiffs' rights have been impacted by the Clerks' willful refusal to enter the Entry of Default against Defendants for Plaintiffs' \$22 million federal claims, Declaratory Judgment and Injunctive Relief.

V. The Clerks Have Falsified and Misrepresented the Court Docket and Court Records for the Purpose of Obstructing the Course of Justice

38. Rule 5(d)(2)(A) of the Federal Rules explains that a "paper not filed electronically is filed by *delivering* it.... to the Clerk[.]" (emphasis added). Thus, "[w]hen papers are mailed to the clerk's office, filing is complete upon the Clerk's receipt of them." *McIntosh v. Antonio*, 71 F. 3d 29, 36 (1st Cir. 1995); see also *Robinson v. Yellow Freight System*, 892 F. 2d 74, 1989 W.L. 152510at * 2 (4th Cir 1989).

39. On October 8, 2021, Plaintiffs filed for an Entry of Default against Defendants in their individual capacities (Docket 20). **Appendix 4**

40. On October 13, 2021, Plaintiffs filed an Entry of Default against additional Defendants in their individual capacities (Docket 21). **Appendix 5**

41. On October 21, 2021, Plaintiffs filed their Motion For Default Judgment pursuant to Rule 55(b). (Docket 22) **Appendix 3**

42. Instead of filing Dockets 20, 21, and 22 by their original titles, the Clerk conspired to falsify the docket by changing the title of Dockets 20, 21 and 22 to "Leave to File" on the docket to obstruct the course of justice. Plaintiffs never asked the Court for leave to file any document as the Clerk has falsified and misrepresented on the docket.

43. Additionally, the Clerks conspired to misrepresent and falsify the records of the proceedings in the Plaintiffs' Case by (1) changing the "filing date" for Docket 20 from October 8, 2021 to October 13, 2021 on the docket (2) changing the "filing date" for Docket 21 from October 13, 2021 to October 19, 2021 on the docket and (3) changing the "filing date" for Docket 22 from October 21, 2021 to October 26, 2021. (See Table 1, Appendix 6, 7, and 8)

44. The Clerks have falsified the docket to misrepresent the records of the proceedings in this Case and to deprive the public and the Plaintiffs of their right to view the actual records of the proceedings in this Case on the docket.

45. The Clerks acting as co-conspirators violated the Plaintiffs' rights to Fundamental Fairness in a civil proceeding when they intentionally falsified the filing dates of the Motion for Default Judgment and falsified the actual title of the Motion For Default Judgment document on the docket. (Table 1)

TABLE 1: Summary of Falsification and Misrepresentation of the Docket by the Clerk

Docket No.	Title of Document Submitted by Plaintiffs	Filing Date	Document Renamed by Clerk	Filing Date Falsified by Clerk
Docket 20	Request for Entry of Default (In Defendants' Individual Capacity)	10/8/2021	Leave to File	10/13/2021
Docket 21	Request for Entry of Default Against Jack W. Fischer and Barry F. Armata in Their <i>Individual</i> Capacity	10/13/2021	Leave to File	10/19/2021
Docket 22	Plaintiffs Motion for Default Judgment and Memorandum of Points and Authorities in Support of Default Judgment	10/21/2021	Leave to File	10/26/2021

VI. The Clerks' actions are in direct violation of Fed. R. Civ. P. 55

46. The Clerks were acting as co-conspirators under the color of law, outside the scope of their authority, when the Clerks (1) failed to enter the Entry of Default requested by Plaintiffs (2) falsified the "filing dates" of Plaintiffs' pleadings on the docket (3) willfully violated Rule 5 of the Federal Procedures by refusing to file the Plaintiffs' pleadings on the date that the pleadings were received by the District Court (4) changed the title of the pleading documents filed by the Plaintiffs on the docket, and (5) failed to perform ministerial tasks.

47. The acts and omissions of Clerks were intentional and occurred with willful and wanton disregard and reckless indifference to the constitutionally protected civil rights of Plaintiffs.

48. The Clerks conspired to obstruct the course of justice in the Plaintiffs' Case pending in the United States District Court and interfered with the equal protection of the law.

49. The Clerks conspired for the purpose of preventing, impeding, hindering, and obstructing the Entry of Default in Plaintiffs' favor in order to unlawfully deny Plaintiffs their right to an Entry of Default in their favor and to obstruct the Monetary and Declaratory Judgment in the Plaintiffs' favor in Plaintiffs' pending Case.

50. Each Clerk acting as co-conspirator neglected to prevent the furtherance of the conspiracy to deprive Plaintiffs of well-established rights secured to them by the First Amendment of the Constitution of the United States of America and the Federal Rules of Civil Procedure.

FIRST CAUSE OF ACTION

Misrepresentation, Falsifying the Court Docket and Court Records for the Purpose of Obstructing the Course of Justice

(Against All Defendants)

51. Plaintiffs re-allege and incorporate by reference each and every allegation in each and every aforementioned paragraph as if fully set forth herein.

52. The Clerks knowingly and intentionally misrepresented the filing dates and titles of Plaintiffs' pleadings (Dockets 20, 21, and 22) on the docket for the purpose of preventing, impeding, hindering, and obstructing the Entry of Default against Defendants.

53. The Clerks had a legal duty to file the Plaintiffs' pleadings on the date that the pleadings were received at the District Court.

54. The Clerks failed to file Plaintiffs' pleadings on the correct date and had complete disregard or concern for the correctness of the filing dates of Dockets 20, 21, and 22.

55. Plaintiffs' rights were impacted because of the Clerks' misrepresentations, whether intentional or negligent.

56. Plaintiffs re-allege their claims for Damages, Declaratory and Injunctive Relief.

SECOND CAUSE OF ACTION

**Judgment that Clerks Conspired to Interfere with Plaintiffs' Civil Rights –
42 U.S.C. § 1985**

(Against All Defendants)

57. Plaintiffs re-allege and incorporate by reference each and every allegation in each and every aforementioned paragraph as if fully set forth herein.

58. 42 U.S.C. § 1985(3) make it unlawful for two or more persons to conspire for the purpose of depriving, directly or indirectly, a person or class of persons of the equal protection of

the laws and an act in furtherance of the conspiracy which causes injury to a person or property, or a deprivation of any right or privilege of a citizen of the United States.

59. Each of the Clerks has acted in concert with various co-conspirators in carrying out the deprivation of constitutional rights and civil rights abuses against Plaintiffs, who are African-Americans litigants, for the purpose of directly depriving Plaintiffs the equal protection of the laws and other guaranteed constitutional rights in a civil proceeding.

60. Clerks have authorized, ratified, and approved the acts of the other Clerks with full knowledge of those acts to violate Plaintiffs' First amendments rights guaranteed to them by the United States Constitution and Rule 55(a)-(b).

61. Plaintiffs have been injured and damaged, and are suffering severe violations of their Constitutional rights.

62. Clerks are liable to Plaintiffs for Declaratory and Injunctive Relief for violation of the Plaintiffs' Constitutional rights.

63. Plaintiffs repeat and re-allege their claims for Actual Damages, Declaratory Relief and Injunctive Relief.

THIRD CAUSE OF ACTION

Judgment that Clerks Neglected to Prevent – 42 U.S.C. § 1986

(Against All Defendants)

64. Plaintiffs re-allege and incorporate by reference each and every allegation in each and every aforementioned paragraph as if fully set forth herein.

65. At any time, the Clerk could have entered the Entry of Default against the Defendants, but she neglected to do so. Instead, the Clerk conspired not to enter the Entry of Default against the Defendants in violation of Rule 55(a).

66. Plaintiffs have been injured and damaged, and are suffering irreparable harm.

67. The Clerks are liable to Plaintiffs for Declaratory and Injunctive Relief for violating the Plaintiffs' Constitutional rights and violating Rule 55(a).

68. Plaintiffs repeat and re-allege their claims for Actual Damages, Declaratory Relief and Injunctive Relief.

FOURTH CAUSE OF ACTION
Judgment that Clerks Violated Plaintiffs' First Amendment Rights
(Against All Defendants)

69. Plaintiffs re-allege and incorporate by reference each and every allegation in each and every aforementioned paragraph as if fully set forth herein.

70. The First Amendment of the United States Constitution guarantees persons, including the Plaintiffs, the right to petition the Court (government) to provide relief for a wrong through litigation.

71. At all times relevant hereto, it was the duty of Clerks to act reasonably and in compliance with the First Amendment of the Constitution and Rule 55(a) of the Federal Rules.

72. The facts described herein constitute violations of rights guaranteed to Plaintiffs by the United States Constitution.

73. Clerks are liable to Plaintiffs for relief for violation of the Plaintiffs' Constitutional rights.

74. Plaintiffs repeat and re-allege their claims for Actual Damages, Declaratory Relief and Injunctive Relief.

FIFTH CAUSE OF ACTION

**Declaratory Judgment that Default Has Entered in Case No. 1:21-CV-02287-ABJ
(Against All Defendants)**

75. Plaintiffs re-allege and incorporate by reference each and every allegation in each and every aforementioned paragraph as if fully set forth herein.

76. The Defendants were required to respond to the Complaint by September 29, 2021. Defendants failed to appear, plead or otherwise defend the Complaint by September 29, 2021.

77. On October 5, 2021, after the Defendants' deadline to respond had passed, the Plaintiffs properly filed for an Entry of Default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. **Appendix 2**

78. Plaintiffs seek Declaratory Judgment that an Entry of Default has entered in Case No: 1:21-CV-02287-ABJ pursuant to Rule 55(a) and directing the Clerk to make appropriate entry in the records of Case No: 1:21-CV-02287-ABJ consistent with such declaratory judgment.

79. Plaintiffs repeat and re-allege their claims for Actual Damages, Declaratory Relief and Injunctive Relief.

SIXTH CAUSE OF ACTION

**Injunctive Relief
(Against All Defendants)**

80. Plaintiffs re-allege and incorporate by reference each and every allegation in each and every aforementioned paragraph as if fully set forth herein.

81. The United States Constitution guarantees Plaintiffs the right to equal protection of the law. Plaintiffs are faced with severe ongoing civil rights abuses.

82. Plaintiffs are entitled to an injunction prohibiting the Clerks from any further activities violating well-established constitutional rights guaranteed to Plaintiffs by the First Amendment and the Federal Rules of Civil Procedure.

83. Plaintiffs repeat and re-allege their claims for Actual Damages, Declaratory Relief, and Injunctive Relief.

SEVENTH CAUSE OF ACTION

Declaratory Judgment that Default Judgment Has Entered Against Defendants Pursuant to Rule 55 in Case No. Case No. 1:21-CV-02287-ABJ

(Against All Defendants)

84. "Entry of default cuts off a defendant's right to appear in the action, file counterclaims, and present a defense." *Wahoo Int'l v. Phix Doctor, Inc.*, 2014 WL 5465373, at *2 n.1 (S.D. Cal. October 28, 2014) (citing *Clifton v. Tomb*, 21 F.2d 893, 897 (4th Cir. 1927)); see also *J&J Sports Prods. Inc. v. Kuo*, 2007 WL 4116209, at *2 (W.D. Tex. November 15, 2007) (entry of default "cuts off the defendant's right to file any document other than a motion to set aside the entry of default"); *Kapadia v. Thompson*, 2008 WL 5225813, at *3 (D. Ariz. December 15, 2008) (same).

85. The Defendants ignored the complaint and failed to answer the complaint by the September 29, 2021 deadline.

86. On October 5, 2021, after the Defendants' deadline to respond had passed, the Plaintiffs properly filed for an Entry of Default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. **Appendix 2**

87. On October 21, 2021, Plaintiffs filed their Motion For Default Judgment pursuant to Rule 55(b). (Docket 22) **Appendix 3**

88. Plaintiffs seek Declaratory Judgment that Default Judgment has entered in Case No: 1:21-CV-02287-ABJ by operation of law.

89. Plaintiffs repeat and re-allege their claims for Actual Damages, Declaratory Relief and Injunctive Relief.

JURY TRIAL DEMANDED

Pursuant to Fed. R. Civ. P. 38, Plaintiffs respectfully demand a trial by jury on all issues properly triable by a jury in this action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment against Defendants as follows:

- 1) A judgment that each of the Clerks is liable to the Plaintiffs under the legal theories set forth in the above alleged Count 1 through Count 7;
- 2) A judgment that the Clerks are liable for conspiring to interfere with Plaintiffs' civil rights pursuant to 42 U.S.C. §1985;
- 3) A judgment that the Clerks are liable for neglecting to prevent pursuant to 42 U.S.C. §1986;
- 4) A judgment that the Clerks are liable for violating Plaintiffs' First Amendment rights;
- 5) Declaratory Judgment that DEFAULT HAS ENTERED in Case No: 1:21-CV-02287-ABJ;
- 6) Declaratory Judgment that DEFAULT JUDGMENT HAS ENTERED in Case No: 1:21-CV-02287-ABJ, thereby Plaintiffs won the substance of the lawsuit, and therefore prevailed on their claims in Case No: 1:21-CV-02287-ABJ by operation of law;
- 7) Injunctive Relief;
- 8) That each of the Clerks is liable to the Plaintiffs for actual damages to Plaintiffs in the amount of \$22,000,000.00; and
- 9) That Plaintiffs have such other, and further relief as this Court may deem just and proper.

This the 4th Day of November 2021

[REDACTED]

[REDACTED]

Alexandria, VA 22313

[REDACTED]

[REDACTED]

Alexandria, VA 22313

APPENDIX LIST

This Complaint is supported by the following attached Appendices.

<u>APPENDIX NO.</u>	<u>DESCRIPTION OF APPENDIX</u>
Appendix 1	Proof of Service – (Docket 5)
Appendix 2	Request for Entry of Default – (Docket 11)
Appendix 3	Motion for Default Judgment (Docket 22)
Appendix 4	Request for Entry of Default – <i>Individual Capacity</i> (Docket 20)
Appendix 5	Additional Request for Entry of Default – <i>Individual Capacity</i> (Docket 21)
Appendix 6	FedEx Proof of Delivery Date for Docket 20
Appendix 7	FedEx Proof of Delivery Date for Docket 21
Appendix 8	FedEx Proof of Delivery Date for Docket 22