

# **APPENDIX 1**

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 21-CV-2287

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))*

This summons for *(name of individual and title, if any)* ELIZABETH C. LEAMING, Serve on: Attorney General William Tong Office of the Attorney General was received by me on *(date)* Sep 7, 2021, 5:14 pm

- I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* Tina Malone, who is designated by law to accept service of process on behalf of *(name of organization)* ELIZABETH C. LEAMING, Serve on: Attorney General William Tong Office of the Attorney General on *(date)* Wed, Sep 08 2021; or
- I returned the summons unexecuted because: \_\_\_\_\_; or
- Other: \_\_\_\_\_; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: Sept 8, 2021



Sandra Yade

*Printed name and title*

67 Burnside Avenue, East Hartford, CT 06108

*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: Sep 8, 2021, 2:30 pm EDT at 165 Capitol Ave, Hartford, CT 06106 received by Tina Malone. Age: 33; Ethnicity: Caucasian; Gender: Female; Weight: 140 lbs; Height: 5'3"; Hair: Black; Relationship: Authorized Agent;

DOCUMENTS SERVED: SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; EXHIBITS;  
CONSENT BY SELF-REPRESENTED LITIGANT TO RECEIVE NOTICES OF ELECTRONIC FILING

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 21-CV-2287

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (D))*

This summons for *(name of individual and title, if any)* JACK W. FISCHER, Serve on: Attorney General William Tong Office of the Attorney General was received by me on *(date)* Sep 7, 2021, 5:14 pm

- I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* Tina Malone, who is designated by law to accept service of process on behalf of *(name of organization)* JACK W. FISCHER, Serve on: Attorney General William Tong Office of the Attorney General on *(date)* Wed, Sep 08, 2021; or
- I returned the summons unexecuted because: \_\_\_\_\_; or
- Other: \_\_\_\_\_; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: Sept 8, 2021



Sandra Yade

*Printed name and title*

67 Burnside Avenue, East Hartford, CT 06108

*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: Sep 8, 2021, 2:30 pm EDT at 165 Capitol Ave, Hartford, CT 06106 received by Tina Malone. Age 33; Ethnicity: Caucasian; Gender: Female; Weight: 140 lbs; Height: 5'3"; Hair: Black; Relationship: Authorized Agent;

DOCUMENTS SERVED: SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; EXHIBITS;  
CONSENT BY SELF-REPRESENTED LITIGANT TO RECEIVE NOTICES OF ELECTRONIC FILING

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 21-CV-2287

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (f))*

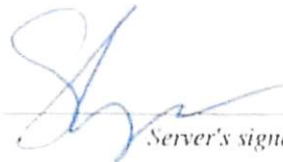
This summons for *(name of individual and title, if any)* BARRY F. ARMATA, Serve on: Attorney General William Tong Office of the Attorney General was received by me on *(date)* Sep 7, 2021, 5:14 pm

- I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_ , a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* Tina Malone , who is designated by law to accept service of process on behalf of *(name of organization)* BARRY F. ARMATA, Serve on: Attorney General William Tong Office of the Attorney General on *(date)* Wed, Sep 08 2021 ; or
- I returned the summons unexecuted because: \_\_\_\_\_ ; or
- Other: \_\_\_\_\_ ; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: Sept 8, 2021

  
\_\_\_\_\_  
*Server's signature*

Sandra Yade

\_\_\_\_\_  
*Printed name and title*

67 Burnside Avenue, East Hartford, CT 06108

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: Sep 8, 2021, 2:30 pm EDT at 165 Capitol Ave, Hartford, CT 06106 received by Tina Malone, Age 33; Ethnicity: Caucasian; Gender: Female; Weight: 140 lbs; Height: 5'3"; Hair: Black; Relationship: Authorized Agent;

DOCUMENTS SERVED: SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; EXHIBITS;  
CONSENT BY SELF-REPRESENTED LITIGANT TO RECEIVE NOTICES OF ELECTRONIC FILING

AO 4-10 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 21-CV-2287

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))*

This summons for *(name of individual and title, if any)* MARK STABILE, Serve on: Attorney General William Tong Office of the Attorney General was received by me on *(date)* Sep 7, 2021, 5:14 pm

- I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* Tina Malone, who is designated by law to accept service of process on behalf of *(name of organization)* MARK STABILE, Serve on: Attorney General William Tong Office of the Attorney General on *(date)* Wed, Sep 08, 2021; or
- I returned the summons unexecuted because: \_\_\_\_\_; or
- Other: \_\_\_\_\_; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: Sept 8, 2021

  
*Server's signature*

Sandra Yade

*Printed name and title*

67 Burnside Avenue, East Hartford, CT 06108

*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: Sep 8, 2021, 2:30 pm EDT at 165 Capitol Ave, Hartford, CT 06106 received by Tina Malone. Age: 33; Ethnicity: Caucasian; Gender: Female; Weight: 140 lbs; Height: 5'3"; Hair: Black; Relationship: Authorized Agent;

DOCUMENTS SERVED: SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; EXHIBITS; CONSENT BY SELF-REPRESENTED LITIGANT TO RECEIVE NOTICES OF ELECTRONIC FILING

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 21-CV-2287

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* TAMMY FLUET, Serve on: Attorney General William Tong Office of the Attorney General was received by me on *(date)* Sep 7, 2021, 5:14 pm

- I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* Tina Malone, who is designated by law to accept service of process on behalf of *(name of organization)* TAMMY FLUET, Serve on: Attorney General William Tong Office of the Attorney General on *(date)* Wed, Sep 08 2021 ; or
- I returned the summons unexecuted because: \_\_\_\_\_ ; or
- Other: \_\_\_\_\_ ; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: Sept 8, 2021



Sandra Yade

*Printed name and title*

67 Burnside Avenue, East Hartford, CT 06108

*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: Sep 8, 2021, 2:30 pm EDT at 165 Capitol Ave, Hartford, CT 06106 received by Tina Malone. Age: 33; Ethnicity: Caucasian; Gender: Female; Weight: 140 lbs; Height: 5'3"; Hair: Black; Relationship: Authorized Agent;

DOCUMENTS SERVED: SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; EXHIBITS; CONSENT BY SELF-REPRESENTED LITIGANT TO RECEIVE NOTICES OF ELECTRONIC FILING

# **APPENDIX 2**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \*



\* \* \* \*

**REQUEST FOR ENTRY OF DEFAULT**

TO: Angela D. Caesar  
Clerk of the Court  
United States District Court  
District Of Columbia

Plaintiffs, Deafueh Monbo and Juahdi Monbo request that the clerk of court enter default against Defendants, Elizabeth C. Leaming, Jack W. Fischer, Barry F. Armata, Mark Stabile, and Tammy Fluet pursuant to Federal Rule of Civil Procedure 55(a) for failure to plead or otherwise defend this action. In support of this request, Plaintiffs rely upon the record in this case and the affidavit submitted herein.

Respectfully Submitted

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

Dated: October 2, 2021



**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**AFFIRMATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**

Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on August 27, 2021 (Dkt 1), and the summons was electronically issued on September 7, 2021. (Dkt 3)
3. Defendants were served with a copy of the summons and complaint on September 8, 2021 as reflected on the docket sheet by the proof of service filed on September 13, 2021. (Dkt 5)
4. An answer to the complaint was due on September 29, 2021.
5. Defendants have failed to appear, plead or otherwise defend within the time allowed and, therefore, are now in default.

6. **Plaintiffs request that the Clerk of Court enter default against the Defendants. A Proposed Entry of Default is attached hereto.**
7. **I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.**

**Respectfully Submitted:**

[Redacted Signature]

[Redacted Signature]

**Dated: October 2, 2021**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**ENTRY OF DEFAULT**

I, Angela D. Caesar, Clerk of Court of the United States District Court for the District of Columbia, do hereby certify that the defendants ELIZABETH C. LEAMING, JACK W. FISCHER, BARRY F. ARMATA, MARK STABILE, and TAMMY FLUET have not filed an answer or otherwise defend with respect to the complaint herein. The default of defendants ELIZABETH C. LEAMING, JACK W. FISCHER, BARRY F. ARMATA, MARK STABILE, and TAMMY FLUET is hereby entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: District of Columbia

ANGELA D. CAESAR, Clerk of Court

October \_\_\_\_, 2021

By: \_\_\_\_\_  
Deputy Clerk

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this REQUEST FOR ENTRY OF DEFAULT and AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT and ENTRY OF DEFAULT was mailed on October 2, 2021 to defendants at the below address:

1. Elizabeth C. Leaming  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
2. Jack W. Fischer  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
3. Barry F. Armata  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
4. Mark Stabile  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
5. Tammy Fluet  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106

**Copies were also sent to Defendants at the below address:**

**6. Elizabeth C. Leaming**  
120 School Street, Suite 208  
Danielson, CT 06239

**7. Jack W. Fischer**  
7205 Maple Tree Lane  
East Lyme, CT 06333

**8. Barry F. Armata**  
126 Randall Drive  
Suffield, CT 06078

**9. Mark Stabile**  
666 Greenwood Manor Circle  
Melbourne, FL 32904

**10. Tammy Fluet**  
120 School Street, Suite 110  
Danielson, CT 06239



# **APPENDIX 3**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

\* **Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT AND MEMORANDUM OF  
POINTS AND AUTHORITIES IN SUPPORT OF DEFAULT JUDGMENT**

NOW COME, Plaintiffs, Deafueh Monbo and Juahdi Monbo, and hereby request that entry of judgment by default be entered against Elizabeth Leaming, Jack Fischer, Barry Armata, Mark Stabile, and Tammy Fluet ("Defendants") pursuant to Federal Rule of Civil Procedure 55(b). Plaintiffs rely upon the record in this case and the affidavit submitted herein.

**FACTS**

**I. Defendants Failed To Answer Complaint**

1. The Complaint (Dkt 1) was filed on August 27, 2021, to redress the deprivation of well-established rights secured to Plaintiffs by the Fourth and Fourteenth Amendments of the Constitution of the United States of America.

2. Each of the Defendants was properly served with a copy of the Summons and Complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure. (Dkt 5, Dkt 8, and Dkt 9). Thus, each Defendant has proper notice of this action.

3. All Defendants' answers were due by September 29, 2021. However, Defendants failed to answer the Complaint within the time allowed. On October 5, 2021, Plaintiffs moved for the Clerk's Entry of Defaults against Defendants. (Dkt 11). Also, *See Exhibit 1*

4. On October 8, 2021 and October 13, 2021, Plaintiffs moved for a Clerks' Entry of Default against Defendants in their individual capacities. *See Exhibit 2 and Exhibit 3*

5. By virtue of their defaults, and the failures of each Defendant to respond to the Complaint by the answer deadline, the Defendants are deemed to have admitted the allegations of the Complaint, and liability is established against each of them. *Benny v. Pipes*, 799 F.2d 489, 495 (9th Cir. 1986), *modified*, 807 F.2d 1514 (1987). Accordingly, the Defendants committed the violations alleged in the Complaint.

6. None of the Defendants is an infant or an incompetent person and has no guardian, committee, conservator, or other such person appearing on his behalf.

7. None of the Defendants is in military service or otherwise exempt under the Soldier's and Sailors' Civil Reliefs Act of 1940.

## **II. Defendants' Attorneys Are Unauthorized To Practice Law in the District of Columbia**

8. Defendants' attorneys Alma R. Nunley and Stephen R. Finucane are not authorized to practice law in the District of Columbia.

9. Defendants' attorneys Alma R. Nunley and Stephen R. Finucane are not licensed in the District of Columbia. Furthermore, Defendants' attorneys Alma R. Nunley and Stephen R. Finucane are not members of the District of Columbia Bar. *See Exhibit 4 and Exhibit 5*

10. Defendants' attorneys Alma R. Nunley and Stephen R. Finucane may not appear or file papers in this case without complying with the admission requirements of this United States District Court for the District of Columbia. *See Exhibit 6*



11. Defendants' attorneys Alma R. Nunley and Stephen R. Finucane have not complied with the admission requirements of this United States District Court for the District of Columbia. Thus, they are precluded from appearing or filing papers in this case.

### **MEMORANDUM OF POINTS AND AUTHORITIES**

#### **III. Legal Standard**

Federal Rule of Civil Procedure 55 authorizes the Court to enter a default judgment against a party who "fail[s] to plead or otherwise defend" a claim. Fed. R. Civ. P. 55 (a)-(b)(2).

Upon default, the factual allegations of the Complaint, except those relating to the amount of damages, will be taken as true. *Televideo Sys. Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987); *see also DirectTV, Inc. v. Hoa Huynh*, 503 F.3d 847, 854 (9th Cir. 2007); Fed. R. Civ. P. 8(b)(6).

The Ninth Circuit has directed that courts consider the following factors in deciding whether to enter default judgment: (1) the possibility of prejudice to Plaintiff, (2) the merits of Plaintiff's substantive claim, (3) the sufficiency of the Complaint, (4) the sum of money at stake in the action; (5) the possibility of a dispute concerning the material facts; (6) whether Defendant's default was the product of excusable neglect, and (7) the strong public policy favoring decisions on the merits. *See \*920 Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986); *see also Elektra Entertainment Group*, 2004 WL 783123 at \*1-2.

The merits of the Plaintiff's substantive claim and the sufficiency of the Complaint are often treated by courts as the most important *Eitel* factors. *Mnatsakanyan v. Goldsmith & Hull APC*, No. 2:12-CV-04358-MMM-PLAX, 2013 WL 10155707, at \*10 (C.D. Cal. May 14, 2013).

#### **IV. Legal Analysis of the *Eitel* Factors**

Plaintiffs shall analyze each of the *Eitel* factors in series.

**1. A) Plaintiffs Would Be Prejudiced If they Are Denied Relief.**

The first *Eitel* factor considers "whether the plaintiff will suffer prejudice if default judgment is not entered." *PepsiCo, Inc. v. California Sec. Cans*, 238 F. Supp. 2d 1172, 1177 (C.D. Cal. 2002). Absent default judgment in this case, Plaintiffs would be denied the right to judicial resolution of the claims presented, and would be without other recourse for recovery. *See id.*; *Elektra Entm't Group Inc. v. Crawford*, 226 F.R.D. 388, 392 (C.D. Cal. 2005). Accordingly, this factor weighs in favor of default judgment.

**B) Plaintiffs Would Suffer Irreparable Harm If They Are Denied Relief**

Deprivation of a constitutional right, even for a short period of time, constitutes irreparable harm. *Elrod v. Burns*, 427 U.S. 347, 373, 96 S.Ct. 2673, 49 L.Ed.2d 547 (1976). Also see *Mitchell v. Cuomo*, 748 F.2d 804, 806 (2d Cir. 1984) ("When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary.") (quoting 11 C. Wright & A. Miller, *Federal Practice and Procedure*, § 2948, at 440 (1973) ).

Here in this case, in 2019, (over two years ago), Plaintiffs who are African-Americans professionals with no prior criminal history were illegally arrested without a warrant.

Plaintiffs have been deprived of well-established rights secured to them by the Fourth and Fourteenth Amendments of the Constitution of the United States of America due to racial animus.

The Fourth Amendment requires judicial probable cause where a warrantless arrest has occurred. The U.S. Supreme Court, in *Gerstein v. Pugh*, 420 U.S. 103, 95 S. Ct. 854, 43 L. Ed. 2d 54 (1975), mandated that persons arrested without a warrant and held by the police must be given a preliminary hearing to determine if there is probable cause. In *County of Riverside v. McLaughlin*, 500 U.S. 44, 111 S. Ct. 1661, 114 L. Ed. 2d 49 (1991), the Court made it a constitutional requirement that a prompt judicial determination of probable cause follow a warrantless arrest. It ruled that a determination must be made without unreasonable delay, and in no event later than forty-eight hours after arrest. Therefore, all state and federal warrantless arrests must comply with the holdings of *Gerstein* and *County of Riverside*.

In the absence of an independent determination of probable cause within 48 hours of warrantless arrests, both Plaintiff Deafueh's and Plaintiff Juahdi's cases should have been dismissed on September 16, 2019 (i.e., two years ago) as a matter of law.

Deprivation of a constitutional right is recognized as irreparable harm. *See Johnson v. Miles*, 355 Fed. Appx. 188, 196 (2d Cir. 2009). Also see *Jolly v. Coughlin*, 76 F.3d 468, 482 (2d Cir. 1996)).

Absent default judgment in this case, Plaintiffs would suffer irreparable harm. Accordingly, this factor weighs in favor of default judgment.

## **2. The Merits of Plaintiffs' Substantive Claims and Sufficiency of the Complaint**

Courts often consider the second and third *Eitel* factors together. *See PepsiCo*, 238 F. Supp. 2d at 1175. The second and third *Eitel* factors look at whether the Plaintiffs' Complaint has sufficiently stated a claim for relief. In their analysis of the second and third *Eitel* factors, the Courts accept as true all well-pleaded allegations regarding liability. *See*

*Fair Hous. of Marin v. Combs*, 285 F.3d 899, 906 (9th Cir. 2002).

This Motion seeks default judgment on the following: (1) Declaratory judgment that forging or falsifying court documents for the purpose of obstructing the course of justice is unconstitutional; (2) Declaratory judgment that Defendants conspired to interfere with Plaintiffs' civil rights pursuant to 42 U.S.C. § 1985; (3) Declaratory judgment that Defendants neglected to prevent pursuant to 42 U.S.C. § 1986; (4) Declaratory judgment that Defendants violated Plaintiffs' Fourth Amendment rights; (5) Declaratory judgment that Defendants violated Plaintiffs' Fourteenth Amendment rights; (6) Injunctive Relief; (7) Intentional Infliction of Emotional Distress; and (8) actual damages to Plaintiffs in the amount of \$22,000,000.00. The Plaintiffs address each in turn below.

**a. Claim 1: Declaratory Judgment That Forging or Falsifying Court Documents for the Purpose of Obstructing the Course of Justice is Unconstitutional**

Plaintiffs seek a declaratory judgment that forging or falsifying court documents for the purpose of obstructing the course of justice is unconstitutional.

Plaintiffs allege that there is no Judge by the name of "Armata, J" in the State of Connecticut. Plaintiffs further allege that Defendants knowingly and intentionally forged a fictitious signature of a Judge and knowingly conspired in using such fictitious signature of a Judge, for the purpose of authenticating a proceeding and for the purpose of authenticating probable cause documents, knowing such signature to be false and fictitious.

Plaintiffs further allege that Defendants filed with the Clerk's Office forged "Probable Cause Documents" containing material statements that they knew to be false. Plaintiffs further allege that Defendants conspired to falsify and forge "Probable Cause Documents" then filed the fake "Probable Cause Documents" in Plaintiffs' cases for the

purpose of denying Plaintiffs equal protection of the law and equal privileges and immunities under the law.

Plaintiffs have sufficiently alleged that forging or falsifying court documents for the purpose of obstructing the course of justice is unconstitutional.

**b. Claim 2: Declaratory Judgment that Defendants Conspired to Interfere With Plaintiffs' Civil Rights Pursuant to 42 U.S.C. § 1985**

Plaintiffs seek a declaratory judgment that Defendants conspired to interfere with Plaintiffs' civil rights pursuant to 42 U.S.C. § 1985.

In order to establish a claim under 42 U.S.C. § 1985, Plaintiffs must show: "(1) a conspiracy; (2) for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; (3) an act in furtherance of the conspiracy; (4) whereby a person is injured in his person or property or deprive of any right or privilege of a citizen of the United States and (5) racial animus." *Farber v. City of Paterson*, 440 F.3d 131, 134 (d Cir. 2006).

Here, in this case, Plaintiffs are African-American professionals who were unlawfully arrested without a warrant in Danielson, a Connecticut town in which blacks make up only one-percent (1%) of the population.

Motivated by racial animus against African-Americans, Defendants conspired to initiate criminal proceedings on September 16, 2019 against Plaintiffs when they knew that the State of Connecticut lacked probable cause, states the Complaint. (Dkt 1)

In the absence of an independent determination of probable cause within 48 hours of warrantless arrests, Plaintiffs' cases should have been dismissed on September 16, 2019 by the Court as a matter of law, states the Complaint.

Instead of dismissing Plaintiffs' cases for lack of probable cause, Defendants, acting in concert with the other defendants, conspired to continue to unlawfully prosecute Plaintiffs without probable cause.

Due to racial animus, Defendants deviated from the Rules of Criminal Procedures governed by the United States Constitution, and as a result, violated Plaintiffs' Due Process and Equal Protection Rights.

The Supreme Court has held that practically all the criminal procedural guarantees of the Bill of Rights—the Fourth, Fifth, Sixth, and Eighth Amendments—are fundamental to State criminal justice systems and that the absence of one or the other particular guarantees denies a suspect or a defendant due process of law under the Fourteenth Amendment.

Plaintiffs have been disenfranchised by Defendants' actions. Due to racial animus, Defendants have violated the Equal Protection Clause of the Fourteenth Amendment and have violated Plaintiffs' guaranteed equal protection rights.

Plaintiffs have sufficiently alleged that Defendants conspired to interfere with Plaintiffs' civil rights pursuant to 42 U.S.C. § 1985 in their Complaint.

**c. Claim 3: Declaratory judgment that Defendants neglected to prevent pursuant to 42 U.S.C. § 1986**

42 U.S.C § 1986 provides that "Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in Section 1985, 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".

42 U.S.C. § 1986, a companion statute to §1985, allows an action against a party who knows that a §1985 deprivation will occur, has the power to prevent it, and fails to do so. *Rogers v. Mount Union Borough*, 816 F.Supp. 308, 314 (M.D.Pa.1993).

Plaintiffs alleged that Defendants conspired for the purpose of preventing, impeding, hindering, and obstructing the dismissal of Plaintiffs' cases in order to continue the unlawful prosecution of Plaintiffs in violation of the United States Constitution.

Plaintiffs alleged in their Complaint that Defendants violated 42 U.S.C. §1986, having been aware of the conspiracy to deprive them of their constitutional rights and to deny them equal protection of the laws, having had the power and authority to stop the conspiracy, but failing to do so.

Plaintiffs have sufficiently alleged that Defendants neglected to prevent the deprivation of Plaintiffs' Constitutional Rights pursuant to 42 U.S.C. §1986.

**d. Claim 4: Declaratory Judgment That Defendants Violated Plaintiffs' Fourth Amendment Rights**

The Fourth Amendment requires judicial probable cause where a warrantless arrest has occurred. The U.S. Supreme Court, in *Gerstein v. Pugh*, 420 U.S. 103, 95 S. Ct. 854, 43 L. Ed. 2d 54 (1975), mandated that persons arrested without a warrant and held by the police must be given a preliminary hearing to determine if there is probable cause. In *County of Riverside v. McLaughlin*, 500 U.S. 44, 111 S. Ct. 1661, 114 L. Ed. 2d 49 (1991), the Court made it a constitutional requirement that a prompt judicial determination of probable cause follow a warrantless arrest. It ruled that a determination must be made without unreasonable delay, and in no event later than

forty-eight hours after arrest. Therefore, all state and federal warrantless arrests must comply with the holdings of *Gerstein* and *County of Riverside*.

Plaintiffs alleged that they were detained on a warrantless arrest and without a probable cause determination hearing for more than 80 hours after their warrantless arrest in reckless disregard for their Fourth Amendment rights.

Plaintiffs further alleged that Defendants denied them a probable cause hearing after a warrantless arrest in violation of the Fourth Amendment and in violation of the Supreme Court's holding in *Gerstein* and *County of Riverside*.

Plaintiffs have sufficiently alleged that Defendants violated Plaintiffs' Fourth Amendment rights.

**e. Claim 5: Declaratory Judgment that Defendants Violated Plaintiffs' Fourteenth Amendment Rights**

The Fourteenth Amendment to the Constitution provides that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor to deny any person within its jurisdiction the equal protection of the laws."

Plaintiffs allege that Defendants violated their Due Process and Equal Protection Rights when Defendants issued the Re-Arrest Warrants on June 7, 2021, without first holding a hearing, charged Plaintiffs with "Failure to Appear", and increased their bail amounts without probable cause and without holding a hearing.

Plaintiffs have sufficiently alleged that Defendants violated Plaintiffs' Fourteenth Amendment rights.



**f. Claim 6: Injunctive Relief**

Deprivation of a constitutional right, even for a short period of time, constitutes irreparable harm. *Elrod v. Burns*, 427 U.S. 347, 373, 96 S.Ct. 2673, 49 L.Ed.2d 547 (1976). Plaintiffs seek an injunction enjoining Defendants from any further activities that violate Plaintiffs' constitutional rights.

Permanent injunctive relief is appropriate because: (1) Plaintiffs have suffered irreparable harm; (2) there is no adequate remedy at law; (3) the balance of hardships favors an equitable remedy; and (4) an issuance of an injunction is in the public's interest.

Accordingly, Plaintiffs are entitled to a permanent injunction against Defendants enjoining Defendants from any further activities that violate Plaintiffs' constitutional rights.

**g. Claim 7: Intentional Infliction of Emotional Distress**

To establish a claim for Intentional Infliction of Emotional Distress, Plaintiffs must show that (1) the Defendant's conduct (statements or actions) was intentional or reckless; (2) the conduct was extreme, outrageous, and intolerable; (3) a causal connection exists between the Defendant's conduct and the resulting emotional distress; and (4) the resulting emotional distress was severe.

Plaintiffs alleged that Defendants' wilful deprivation of their constitutional rights is an intentional infliction of emotional distress through extreme and outrageous conduct which would be condemned by virtually everyone in the United States, and which is conduct which exceeds all bounds usually tolerated by decent society and are of a

nature which is specially calculated to cause and did cause mental distress of a very serious kind to the Plaintiffs.

As the Complaint appears both sufficiently pled and meritorious, the second and third *Eitel* factors favor entry of default judgment against Defendants.

**3. The Sum of Money at Stake in the Action**

The fourth *Eitel* factor requires the Court to balance the amount of money at stake against the seriousness of Defendants' conduct. Plaintiffs seek actual damages in the amount of \$22,000,000.00. The amount of money that the Plaintiffs seek is consistent with the allegations in the Complaint.

**4. The Possibility of a Dispute Concerning the Material Facts**

The fifth *Eitel* factor requires the Court to consider the possibility of dispute as to material facts in the case. Where a Plaintiff's Complaint is well-pleaded, and the Defendants make no effort to properly respond, the likelihood of disputed facts is very low. See *Landstar Ranger, Inc. v. Parth Enters., Inc.*, 725 F. Supp. 2d 916, 921 (C.D. Cal. 2010). "Because all allegations in a well-pleaded complaint are taken as true after the Defendant defaults, there is no likelihood that any genuine issue of material fact exists." *Elektra Entm't*, 226 F.R.D. at 393. Accordingly, the fifth *Eitel* factor weighs in favor of default judgment.

**5. Whether Defendants' Default was the Product of Excusable Neglect**

Each of the Defendants was properly served with a copy of the Summons and Complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure. (Dkt 5, Dkt 8, and Dkt 9). Thus, each Defendant has proper notice of this action. Each Defendant was aware that they had to respond to the Complaint by September 29, 2021 or a default judgment would be

entered against them. Therefore, this fifth Eitel factor weighs in favor of an entry of default judgment.

**6. The Strong Public Policy Favoring Decisions on the Merits.**

The seventh *Eitel* factor requires the Court to consider the strong judicial policy favoring decisions on the merits before granting default judgment. Whenever reasonably possible, cases should be decided upon their merits. *Eitel*, 782 F.2d at 1472; *PepsiCo*, 238 F. Supp. 2d at 1177. However, the policy favoring decisions on the merits does not prevent a court from entering judgment where a defendant refuses to respond. *PepsiCo*, 238 F. Supp. 2d at 1177. Here, in this case, Defendants have chosen not to respond to the Complaint by the September 29, 2021 deadline. Additionally, Defendants do not have any meritorious defenses to the Plaintiffs' claims. Accordingly, the seventh Eitel factor does not preclude the Court from entering default judgment against Defendants.

**7. Summary of the Eitel Factors**

Based on the analysis above, the *Eitel* factors support the entry of default judgment against the Defendants.

**V. Relief Requested**

Plaintiffs seek Actual Damages, Declaratory Relief and Injunctive Relief.

**VI. Conclusion**

After analyzing each *Eitel* factor, Plaintiffs conclude that, on balance, the factors weigh in favor of entering default judgment against Defendants.

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABLE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \* \* \* \* \* \*

**AFFIDAVIT IN SUPPORT OF  
MOTION FOR ENTRY OF DEFAULT JUDGMENT**

Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The Complaint (Dkt 1) was filed on August 27, 2021, to redress the deprivation of well-established rights secured to Plaintiffs by the Fourth and Fourteenth Amendments of the Constitution of the United States of America.
3. Each of the Defendants was properly served with a copy of the Summons and Complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure. (Dkt 5, Dkt 8, and Dkt 9).

4. **Defendants' answers were due by September 29, 2021. However, Defendants failed to answer the Complaint within the time allowed. On October 5, 2021, Plaintiffs moved for the Clerk's Entry of Defaults against Defendants. (Dkt 11).**
5. **None of the Defendants is an infant or an incompetent person and has no guardian, committee, conservator, or other such person appearing on his behalf.**
6. **None of the Defendants is in military service or otherwise exempt under the Soldier's and Sailors' Civil Reliefs Act of 1940.**
7. **The claim of the Plaintiffs is for:**
  - a) **Declaratory judgment that forging or falsifying court documents for the purpose of obstructing the course of justice is unconstitutional;**
  - b) **Declaratory judgment that Defendants conspired to interfere with Plaintiffs' civil rights pursuant to 42 U.S.C. §1985;**
  - c) **Declaratory judgment that Defendants neglected to prevent pursuant to 42 U.S.C. §1986;**
  - d) **Declaratory judgment that Defendants violated Plaintiffs' Fourth Amendment rights;**
  - e) **Declaratory judgment that Defendants violated Plaintiffs' Fourteenth Amendment rights;**
  - f) **Injunctive Relief;**
  - g) **That each of the Defendants is liable to the Plaintiffs for unlawfully causing them emotional distress and pain and suffering;**
  - h) **That each of the Defendants is liable to the Plaintiffs for actual damages to Plaintiffs in the amount of \$22,000,000.00 or more; and**
  - i) **That Plaintiffs have such other, and further relief as this Court may deem just and proper.**

**WHEREFORE, Plaintiffs Juahti Monbo and Deafueh Monbo request that a default judgment be entered in favor of Plaintiffs Juahti Monbo and Deafueh Monbo and against Defendants Elizabeth Leaming, Jack Fischer, Barry Armata, Mark Stabile, and Tammy Fluet. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief, that the amount claimed is justly due to Plaintiffs, that no part thereof has been paid.**

**Dated this 20th day of October 2021**

[Redacted signature block]

[Redacted signature block]

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

\*  
Civil Action No: 1:21-CV-02287-ABJ

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABLE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**PROPOSED DEFAULT JUDGMENT**

The defendants ELIZABETH C. LEAMING, JACK W. FISCHER, BARRY F. ARMATA, MARK STABLE and TAMMY FLUET having failed to answer the Complaint by the September 29, 2021 deadline (Dkt 11) and Plaintiffs having filed a proper motion and affidavit (declaration) in accordance with Federal Rule of Civil Procedure 55(a) and 55(b);

Default Judgment is hereby entered in favor of Plaintiffs Juahdi Monbo and Deafueh Monbo against defendants as follows:

IT IS ADJUDGED AND ORDERED that:

**I. DECLARATORY RELIEF**

IT IS HEREBY DECLARED THAT:

- a) Defendants' forgery and falsification of court documents for the purpose of obstructing the course of justice is unconstitutional;

- b) Defendants conspired to interfere with Plaintiffs' civil rights pursuant to 42 U.S.C. §1985;
- c) Defendants neglected to prevent pursuant to 42 U.S.C. §1986;
- d) Defendants violated Plaintiffs' Fourth Amendment rights;
- e) Defendants violated Plaintiffs' Fourteenth Amendment rights;

**II. PERMANENT INJUNCTION**

**IT IS FURTHER ORDERED AND ADJUDGED** that ELIZABETH C. LEAMING, JACK W. FISCHER, BARRY F. ARMATA, MARK STABILE and TAMMY FLUET and their agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from any and all activities violating the constitutional rights of Deafueh Monbo and Juahdi Monbo.

**III. DAMAGES**

The Court awards Plaintiffs \$22,000,000.00 in damages.

**III. JURISDICTION**

This Court shall maintain jurisdiction over this matter, to enforce this Order, and to award such other equitable and further relief as the Court deems just and proper.

**IT IS SO ORDERED** this day \_\_\_\_\_ of \_\_\_\_\_, 2021

\_\_\_\_\_  
U.S. District Judge Amy Berman Jackson



**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

\* **Civil Action No: 1:21-CV-02287-ABJ**

\*

v.

\*

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

\*

\*

\*

\*

*Defendants*

\* \* \* \* \*

**CERTIFICATE OF SERVICE**

I, Juahdi Monbo, and Deafueh Monbo hereby certify that on this date, I caused a copy of (1) the Motion for Entry of Default Judgment, (2) Affidavit in Support of Motion for Entry of Default Judgment, and (3) proposed Default Judgment to be placed in a postage-paid envelope addressed to the Defendant, at the address stated below, which is the last known address of said Defendant, and deposited said envelope(s) in the United States mail.

1. JACK W. FISCHER  
C/o: Alma R. Nunley, Esq  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*For Defendants, Jack W. Fischer, Barry F. Armata, and Tammy Fluet*

2. BARRY F. ARMATA  
C/o: Alma R. Nunley, Esq  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*For Defendants, Jack W. Fischer, Barry F. Armata, and Tammy Fluet*

3. **TAMMY FLUET**  
C/o: Alma R. Nunley, Esq  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*For Defendants, Jack W. Fischer, Barry F. Armata, and Tammy Fluet*

4. **ELIZABETH C. LEAMING**  
C/o: Stephen R. Fimucane, Esq  
110 Sherman Street  
Hartford, CT 06105  
*For Defendants, Elizabeth C. Leaming and Mark Stabile*

5. **MARK STABILE**  
C/o: Stephen R. Fimucane, Esq  
110 Sherman Street  
Hartford, CT 06105  
*For Defendants, Elizabeth C. Leaming and Mark Stabile*

[REDACTED]

[REDACTED]

Dated: October 20, 2021

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \*

Civil Action No: **1:21-CV-02287-ABJ**



\* \* \* \*

**REQUEST FOR ENTRY OF DEFAULT**

TO: Angela D. Caesar  
Clerk of the Court  
United States District Court  
District Of Columbia

Plaintiffs, Deafueh Monbo and Juahti Monbo request that the clerk of court enter default against Defendants, Elizabeth C. Leaming, Jack W. Fischer, Barry F. Armata, Mark Stabile, and Tammy Fluet pursuant to Federal Rule of Civil Procedure 55(a) for failure to plead or otherwise defend this action. In support of this request, Plaintiffs rely upon the record in this case and the affidavit submitted herein.

Respectfully Submitted

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

Dated: October 2, 2021

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABLE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**AFFIRMATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**

Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on August 27, 2021 (Dkt 1), and the summons was electronically issued on September 7, 2021. (Dkt 3)
3. Defendants were served with a copy of the summons and complaint on September 8, 2021 as reflected on the docket sheet by the proof of service filed on September 13, 2021. (Dkt 5)
4. An answer to the complaint was due on September 29, 2021.
5. Defendants have failed to appear, plead or otherwise defend within the time allowed and, therefore, are now in default.

6. **Plaintiffs request that the Clerk of Court enter default against the Defendants. A Proposed Entry of Default is attached hereto.**
7. **I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.**

**Respectfully Submitted:**

[Redacted signature block]

[Redacted signature block]

**Dated: October 2, 2021**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \* \* \* \* \*

**ENTRY OF DEFAULT**

I, Angela D. Ceasar, Clerk of Court of the United States District Court for the District of Columbia, do hereby certify that the defendants ELIZABETH C. LEAMING, JACK W. FISCHER, BARRY F. ARMATA, MARK STABILE, and TAMMY FLUET have not filed an answer or otherwise defend with respect to the complaint herein. The default of defendants ELIZABETH C. LEAMING, JACK W. FISCHER, BARRY F. ARMATA, MARK STABILE, and TAMMY FLUET is hereby entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: District of Columbia

ANGELA D. CAESAR, Clerk of Court

October \_\_\_\_, 2021

By: \_\_\_\_\_  
Deputy Clerk

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this REQUEST FOR ENTRY OF DEFAULT and AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT and ENTRY OF DEFAULT was mailed on October 2, 2021 to defendants at the below address:

1. Elizabeth C. Leaming  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
2. Jack W. Fischer  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
3. Barry F. Armata  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
4. Mark Stabile  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
5. Tammy Fluet  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106



**Copies were also sent to Defendants at the below address:**

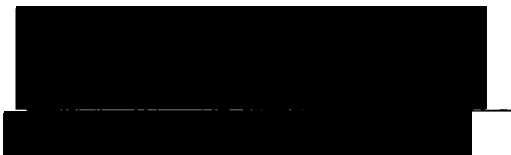
6. **Elizabeth C. Leaming**  
120 School Street, Suite 208  
Danielson, CT 06239

7. **Jack W. Fischer**  
7205 Maple Tree Lane  
East Lyme, CT 06333

8. **Barry F. Armata**  
126 Randall Drive  
Suffield, CT 06078

9. **Mark Stabile**  
666 Greenwood Manor Circle  
Melbourne, FL 32904

10. **Tammy Fluet**  
120 School Street, Suite 110  
Danielson, CT 06239



# **EXHIBIT 2**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

Civil Action No: **1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABLE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*  
\* \* \* \* \*

**REQUEST FOR ENTRY OF DEFAULT**

TO: Angela D. Caesar  
Clerk of the Court  
United States District Court  
District Of Columbia

Plaintiffs, Deafueh Monbo and Juahdi Monbo request that the clerk of court enter default against Defendants, ELIZABETH C. LEAMING and MARK STABLE in their *individual* capacity pursuant to Federal Rule of Civil Procedure 55(a) for failure to plead or otherwise defend this action. In support of this request, Plaintiffs rely upon the record in this case and the affidavit submitted herein.

Respectfully Submitted

[Redacted Signature]

[Redacted Signature]

Dated: October 7, 2021

[Redacted Signature]

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**

*Defendants*

\* \* \* \* \*

**AFFIRMATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**

Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on August 27, 2021 (Dkt 1); and the summons was electronically issued on September 7, 2021. (Dkt 3)
3. Defendants, ELIZABETH C. LEAMING and MARK STABILE are sued in both their official and individual capacity.
4. Defendants, ELIZABETH C. LEAMING and MARK STABILE were served in their official capacity with a copy of the summons and complaint on September 8, 2021 as reflected on the docket sheet by the proof of service filed on September 13, 2021. (Dkt 5)

5. Then on September 13, 2021, Defendants **ELIZABETH C. LEAMING** and **MARK STABLE** were served in their *individual* capacity with a copy of the summons and complaint as reflected on the docket sheet by the proof of service filed on September 20, 2021 and September 23, 2021. (Dkt 8 and Dkt 9)
6. An answer to the complaint was due on October 4, 2021.
7. Defendants, **ELIZABETH C. LEAMING** and **MARK STABLE** have failed to appear, plead or otherwise defend within the time allowed and, therefore, are now in default.
8. Plaintiffs request that the Clerk of Court enter default against the Defendants. A Proposed Default is attached hereto.
9. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.

Respectfully Submitted:

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

Dated: October 7, 2021

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**

*Defendants*

\* \* \* \* \*

**DEFAULT**

I, Angela D. Ceasar, Clerk of Court of the United States District Court for the District of Columbia, do hereby certify that the defendants ELIZABETH C. LEAMING and MARK STABILE, have not filed an answer or otherwise defend with respect to the complaint herein. The default of defendants ELIZABETH C. LEAMING, and MARK STABILE is hereby entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: District of Columbia

ANGELA D. CAESAR, Clerk of Court

October \_\_\_\_, 2021

By: \_\_\_\_\_  
Deputy Clerk

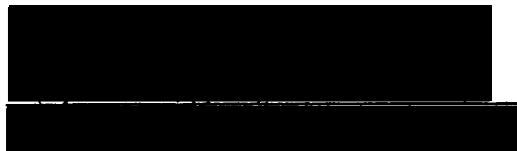
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this REQUEST FOR ENTRY OF DEFAULT and AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT and DEFAULT was mailed on October 7, 2021 to defendants at the below address:

1. **Alma R. Nunley, Esq**  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*Attorney for Defendants, Jack W. Fischer, Barry F. Armata, and Tammy Fluet*
  
2. **Elizabeth C. Leaming**  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
3. **Mark Stabile**  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106

**Copies were also sent to Defendants at the below address:**

4. **Elizabeth C. Leaming**  
120 School Street, Suite 208  
Danielson, CT 06239
  
5. **Mark Stabile**  
666 Greenwood Manor Circle  
Melbourne, FL 32904



# **EXHIBIT 3**



**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO

*Plaintiffs*

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABLE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

Civil Action No: **1:21-CV-02287-ABJ**

**REQUEST FOR ENTRY OF DEFAULT**

**Against Jack W. Fischer and Barry F. Armata in their *Individual Capacity***

TO: Angela D. Caesar  
Clerk of the Court  
United States District Court  
District Of Columbia

Plaintiffs, Deafueh Monbo and Juahdi Monbo request that the clerk of court enter default against Defendants, JACK W. FISCHER and BARRY F. ARMATA in their individual capacity pursuant to Federal Rule of Civil Procedure 55(a) for failure to plead or otherwise defend this action. In support of this request, Plaintiffs rely upon the record in this case and the affidavit submitted herein.

Respectfully Submitted

[Redacted Signature]

Dated: October 12, 2021

[Redacted Signature]

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**

*Defendants*

\* \* \* \* \*

**AFFIRMATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**

Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on August 27, 2021 (Dkt 1), and the summons was electronically issued on September 7, 2021. (Dkt 3)
3. Defendants, JACK W. FISCHER and BARRY F. ARMATA are sued in both their official and individual capacity.
4. Defendants JACK W. FISCHER and BARRY F. ARMATA were served in their official capacity with a copy of the summons and complaint on September 8, 2021 as reflected on the docket sheet by the proof of service filed on September 13, 2021. (Dkt 5)

5. On September 15, 2021, Defendants JACK W. FISCHER and BARRY F. ARMATA were served in their individual capacity with a copy of the summons and complaint as reflected on the docket sheet by the proof of service filed on September 20, 2021 (Dkt 9)
6. An answer to the complaint was due on October 6, 2021, from Defendants JACK W. FISCHER and BARRY F. ARMATA in their individual capacity.
7. Defendants, JACK W. FISCHER, and BARRY F. ARMATA, have failed to plead or otherwise defend within the time allowed and, therefore, are now in default in their individual capacity.
8. Plaintiffs request that the Clerk of Court enter default against the Defendants. A Proposed Default is attached hereto.
9. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.

Respectfully Submitted:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dated: October 12, 2021

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABLE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**

*Defendants*

\* \* \* \* \*

**DEFAULT**

I, Angela D. Ceasar, Clerk of Court of the United States District Court for the District of Columbia, do hereby certify that defendants JACK W. FISCHER and BARRY F. ARMATA have not filed an answer or otherwise defend with respect to the complaint herein. The default of defendants JACK W. FISCHER and BARRY F. ARMATA is hereby entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: District of Columbia

ANGELA D. CAESAR, Clerk of Court

October \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Deputy Clerk

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this REQUEST FOR ENTRY OF DEFAULT and AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT and DEFAULT was mailed on October 12, 2021 to defendants at the below address:

1. Alma R. Nunley, Esq  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*For Defendants, Jack W. Fischer, Barry F. Armata, and Tammy Fluet*
  
2. Stephen R. Finucane, Esq  
110 Sherman Street  
Hartford, CT 06105  
*For Defendants, Elizabeth C. Leaming and Mark Stabile*

[REDACTED]

[REDACTED]

# **EXHIBIT 4**



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Last Name Nunley

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# **EXHIBIT 5**



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## Membership

### Find A Member

---

First or Middle Name **stephen**

Last Name **Finucane**

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## Membership


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See the [Membership Classes \(https://www.dcbbar.org/for-lawyers/membership/classes-of-membership\)](https://www.dcbbar.org/for-lawyers/membership/classes-of-membership) page for a complete description of license types and status definitions.

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[Legal Ethics \(https://www.dcbbar.org/for-lawyers/legal-ethics\)](https://www.dcbbar.org/for-lawyers/legal-ethics)

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[Practice Management Advisory Service \(https://www.dcbbar.org/for-lawyers/practice-management-advisory-service\)](https://www.dcbbar.org/for-lawyers/practice-management-advisory-service)

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# **EXHIBIT 6**

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS  
FOR THE DISTRICT OF COLUMBIA**

**APPLICATION FOR ADMISSION**

This is a petition for admission to practice before the bar of this Court. Admission to the Bar of this Court is limited to: (1) attorneys who are active members in good standing of the District of Columbia Bar; or (2) attorneys who are active members in good standing of the Bar of any state in which they maintain their principal law office; or (3) in-house attorneys who are active members in good standing of the Bar of any state and who are authorized to provide legal advice in the state in which they are employed by their organization client.

**Application Submission**

Effective October 7, 2019, you must upload and submit your application electronically via PACER. Tutorial instructions can be found on the court's website at:  
<https://www.dcd.uscourts.gov/sites/dcd/files/NextGENTutorialforApplyingforAdmission.pdf>

**Fees**

The application fee is **\$213.00** (effective 12/1/2020). Of this amount, \$25.00 is deposited to the credit of funds used to pay the expenses of the Clerk's Trustee Account, \$168.00 is for statutory fees for administering the oath and issuing the certificate of admission, and \$20.00 is deposited into the fund for Judicial Services established under 28 U.S.C. § 1931. Once your application has been accepted, you will receive an e-mail notification requesting payment of the fee.

**Sponsor's Affidavit**

The Sponsor's affidavit and motion form is to be completed by an attorney who is a member in good standing of the bar of this Court and who has known the applicant for at least one year. This affidavit may not be waived.

**Certificate of Good Standing**

In order to confirm your membership of the required Bar in accordance with LCvR 83.2, please provide a Certificate of Good Standing from the District of Columbia Bar, or the Bar of any state in which you maintain your principle office. The certificate must be issued within a year of the date of your application.

**Renewal**

In October 1989, the United States District Court for the District of Columbia amended and adopted a number of Local Rules dealing with the admission and practice of attorneys. LCvR 83.9 requires that each member of the bar of this Court renew his or her membership every three years by filing with the Clerk of the Court, on or about July 1st of every third year, a renewal certificate and by paying a renewal fee in the amount of \$25.00.

Notification of the renewal requirement and the renewal certificate are electronically mailed to the last known e-mail address of all applicable attorneys prior to the renewal date. Attorneys who do not renew will not be able to practice or file pleadings in the District Court.

Ceremony

**ATTENTION: Due to the COVID-19 Pandemic, the United States District and Bankruptcy Courts for the District of Columbia have canceled all Attorney Admission Ceremonies until further order of the Court.**

Admission ceremonies are held on the first Monday of each month (except when Monday is a holiday, then the ceremony is held the following Monday). You will be scheduled for the first ceremony after the petition is timely received. Timely receipt means receiving the petition in this office on or before the closing date indicated for each ceremony date. Please arrive no later than 9:00 A.M., as entry into the courtroom is prohibited after 9:25 A.M. Enclosed you will find a list of the closing and ceremony dates for the current year. Please retain this page for your records. The courtroom designated for the ceremony is Ceremonial Courtroom 20 on the sixth floor of the courthouse. Your sponsor is welcome but is not required to attend the ceremony. A reception in the Judges' Dining Room given by the DC Chapter of the Federal Bar Association and the United States District Court will immediately follow the ceremony.

If you are unable to attend a particular ceremony, please notify this office before the ceremony date so that you may be rescheduled for the following month. You will be given a limit of two chances to reschedule an admission ceremony, after which your petition and admission fees will be forfeited. If you fail to attend the ceremony without notifying us in advance, your petition will be delayed for three months. If you fail to appear for two admission ceremonies even though we have notified you of the scheduled dates for these ceremonies, you will forfeit your admission fees accompanied by your petition. Petitions will be kept on file for six months.

*If you plan to ride Metro rail, the nearest station is Judiciary Square; use the 4<sup>th</sup> Street exit. Please keep this page until after you have been admitted, as it contains all the information you will need.*

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS  
FOR THE DISTRICT OF COLUMBIA  
ATTORNEY ADMISSIONS  
333 CONSTITUTION AVENUE, NW  
ROOM 1225  
WASHINGTON, DC 20001  
(202) 354-3110**

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS  
FOR THE DISTRICT OF COLUMBIA**

**IN THE MATTER OF THE APPLICATION OF:**

\_\_\_\_\_  
*(Print your name as you wish for it to appear in the records of the court.)*

**FOR ADMISSION TO PRACTICE**

**PETITION**

I, \_\_\_\_\_, hereby petition the United States District and Bankruptcy Courts for the District of Columbia to admit me to practice before the aforementioned Court, and in support of my petition:

\_\_\_\_\_  
(Date admitted to DC Bar)

\_\_\_\_\_  
(DC Bar No.)

\_\_\_\_\_  
(Principal Office - Firm Name)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Date of Birth)

\_\_\_\_\_  
(Last four (4) digits of SSN)

E-Mail Address \_\_\_\_\_

**Residence Address:**

Street \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Telephone No. \_\_\_\_\_

Admitted to State Bar of \_\_\_\_\_

Date Admitted \_\_\_\_\_

**OR**

My legal training (Law School attended & graduation date) and experience are as follows (attach additional sheets, if necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All occasions, if any, on which I have been held in contempt of Court are set forth as follows: (If none, so state.) (State the nature of the contempt and the final disposition thereof. Attach additional sheets if necessary.) \_\_\_\_\_  
\_\_\_\_\_

All occasions, if any, on which I have been convicted of a crime, censured, suspended, disciplined or disbarred by any Court are set forth as follows: (If none, so state.) (State the facts and circumstances connected therewith. Attach additional sheets if necessary.) \_\_\_\_\_  
\_\_\_\_\_

The Local Rules of this Court place certain requirements on counsel for admission to the Bar of this Court and also to practice. Please check the requirements that apply. In addition to requirement #1, either requirement #2 or #3 must be checked before the petition will be accepted. If you wish to appear as sole or lead counsel in a contested evidentiary hearing or trial on the merits, at least one of the listed requirements on the bottom portion of the certificate must be checked.

### ADMISSION TO PRACTICE CERTIFICATE

In compliance with LCvR 83.8(b)(6) and LCrR 57.21(b)(6) the undersigned applicant hereby certifies that:

(MANDATORY)

- #1 \_\_\_\_\_ I have read and am familiar with the provisions of the Judicial Code (Title 28 United States Code) which pertain to the jurisdiction of and practice in the U.S. District Courts, the Rules of the United States District Court for the District of Columbia, and the Rules of Professional Conduct as adopted by the District of Columbia Court of Appeals [LCvR 83.8(b)(6)(i),(iii)and(iv)/LCrR 57.21(b)(6)(i),(iii) and (iv)]; D.C. Bar Voluntary Standards for Civility in Professional Conduct, adopted by the Bar on June 18, 1996 (attached as Appendix B) [LCvR 83.8(b)(6)(v)]; [LCrR 57.21(b)(6)(v)]; and
- #2 \_\_\_\_\_ I am familiar with the Federal Rules of Civil Procedure [LCvR 83.8(b)(6)(ii)];  
and/or
- #3 \_\_\_\_\_ I am familiar with the Federal Rules of Criminal Procedure [LCrR 57.21(b)(6)(ii)].



**An attorney who wishes to appear as sole or lead counsel in a contested evidentiary hearing or trial on the merits further certifies that:**

- #4 \_\_\_\_\_ I have previously acted as sole or lead counsel in a federal district court or the Superior Court of the District of Columbia or a state trial court of general jurisdiction in a contested jury or bench trial or other contested evidentiary hearing in which testimony was taken in open court and an order or other appealable judgment was entered. [LCvR 83.2(b)(1) and LCrR 44.1(b)(1)]; **OR**
- #5 \_\_\_\_\_ I have participated in a junior capacity in an entire contested jury or bench trial in a federal district court or the Superior Court of the District of Columbia or a state trial court of general jurisdiction. [LCvR 83.2(b)(2) and LCrR 44.1(b)(2)]; **OR**
- #6 \_\_\_\_\_ I have satisfactorily completed a continuing education trial advocacy course of at least 30 hours sponsored by the District of Columbia Bar or accredited by a State Bar. [Local Rule 83.2(b)(3) and LCrR 44.1(b)(3)].

**In consideration of LCvR 83.11, the undersigned applicant certifies that:**

- #7 \_\_\_\_\_ I have read LCvR 83.11 and understand that members in good standing of the bar of this Court have an obligation to assist or represent the needy in civil matters before this Court whenever requested by the Court and if necessary, without compensation. I have read LCvR 83.11 and understand that the Court has established a voluntary Civil Pro Bono Panel from which attorneys may be appointed by the Court to represent indigent pro se litigants.

---

(DATE)

---

(PETITIONER'S SIGNATURE)

**(PLEASE PRINT OR TYPE - EXCEPT FOR SIGNATURE)**

**PETITIONER'S NAME:** \_\_\_\_\_

**SPONSOR'S AFFIDAVIT AND MOTION**

I, \_\_\_\_\_, was admitted to practice before the UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA on \_\_\_\_\_, 20\_\_\_\_. My bar number is \_\_\_\_\_ and I am currently an active member in good standing of the Bar of the United States District Court for the District of Columbia. I have known the petitioner for at least one year, under the following circumstances: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

My knowledge of said petitioner's moral character is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

My knowledge of said petitioner's experience is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I am satisfied that the petitioner has the necessary qualifications to become a member of the bar of this Court, and I, therefore, move his/her admission.

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

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(SIGNATURE OF SPONSOR)

FIRM NAME \_\_\_\_\_

OFFICE ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

**Note: Original signatures only.**

Revised 6/2021

## **UNITED STATES DISTRICT AND BANKRUPTCY COURTS FOR THE DISTRICT OF COLUMBIA**

### **2021 ATTORNEY ADMISSION**

Due to the COVID-19 Pandemic, the United States District and Bankruptcy Courts for the District of Columbia have canceled all Attorney Admission Ceremonies until further order of the Court. Please review the 2021 Admission dates below and the corresponding Application, Fee, and Oath deadlines.

<b>Application Due By:</b>	<b>Application Fee and Oath Due By:</b>	<b>For Admission on:</b>
December 18, 2020	December 23, 2020	January 4, 2021
January 15, 2021	January 27, 2021	February 1, 2021
February 12, 2021	February 24, 2021	March 1, 2021
March 19, 2021	March 24, 2021	April 5, 2021
April 16, 2021	April 28, 2021	May 3, 2021
May 21, 2021	June 2, 2021	June 7, 2021
June 18, 2021	June 30, 2021	July 6, 2021
July 16, 2021	July 28, 2021	August 2, 2021
August 27, 2021	September 8, 2021	September 13, 2021
September 17, 2021	September 29, 2021	October 4, 2021
October 15, 2021	October 27, 2021	November 1, 2021
November 19, 2021	December 1, 2021	December 6, 2021

Revised 6/2021

\*\*\*\*\*

**NOTE:** The Admission Application shall be submitted via PACER. Once the application has been approved, you will receive an email requesting payment, in addition to a request for a signed Oath of Admission. When all the Attorney Admission requirements have been met and the Order of Admission is signed by the confirmed Motions Judge, you will receive a notice through PACER confirming admission. If you have any questions, please email us at [attorney\\_admissions@dcd.uscourts.gov](mailto:attorney_admissions@dcd.uscourts.gov).

**PLEASE RETAIN THIS PAGE FOR YOUR RECORDS**

# **APPENDIX 4**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \* \* \* \* \* \*

**REQUEST FOR ENTRY OF DEFAULT**

TO: Angela D. Caesar  
Clerk of the Court  
United States District Court  
District Of Columbia

Plaintiffs, Deafueh Monbo and Juahti Monbo request that the clerk of court enter default against Defendants, ELIZABETH C. LEAMING and MARK STABILE in their *individual* capacity pursuant to Federal Rule of Civil Procedure 55(a) for failure to plead or otherwise defend this action. In support of this request, Plaintiffs rely upon the record in this case and the affidavit submitted herein.

Respectfully Submitted

[Redacted Signature]

[Redacted Signature]

[Redacted Signature]

[Redacted Signature]

Dated: October 7, 2021

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

Civil Action No: **1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**

*Defendants*

\* \* \* \* \*


**AFFIRMATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**



Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on August 27, 2021 (Dkt 1), and the summons was electronically issued on September 7, 2021. (Dkt 3)
3. Defendants, ELIZABETH C. LEAMING and MARK STABILE are sued in both their official and individual capacity.
4. Defendants, ELIZABETH C. LEAMING and MARK STABILE were served in their official capacity with a copy of the summons and complaint on September 8, 2021 as reflected on the docket sheet by the proof of service filed on September 13, 2021. (Dkt 5)

5. Then on September 13, 2021, Defendants **ELIZABETH C. LEAMING** and **MARK STABLE** were served in their *individual* capacity with a copy of the summons and complaint as reflected on the docket sheet by the proof of service filed on September 20, 2021 and September 23, 2021. (Dkt 8 and Dkt 9)
6. An answer to the complaint was due on October 4, 2021.
7. Defendants, **ELIZABETH C. LEAMING** and **MARK STABLE** have failed to appear, plead or otherwise defend within the time allowed and, therefore, are now in default.
8. Plaintiffs request that the Clerk of Court enter default against the Defendants. A Proposed Default is attached hereto.
9. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.

Respectfully Submitted:

Dated: October 7, 2021



**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**  
*Defendants*

\* \* \* \* \*

**DEFAULT**

I, Angela D. Ceasar, Clerk of Court of the United States District Court for the District of Columbia, do hereby certify that the defendants **ELIZABETH C. LEAMING** and **MARK STABILE**, have not filed an answer or otherwise defend with respect to the complaint herein. The default of defendants **ELIZABETH C. LEAMING**, and **MARK STABILE** is hereby entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: District of Columbia  
October \_\_\_\_, 2021

**ANGELA D. CAESAR, Clerk of Court**

By: \_\_\_\_\_  
**Deputy Clerk**

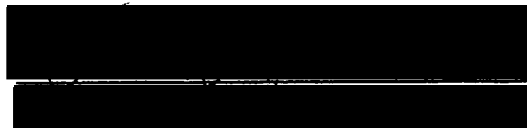
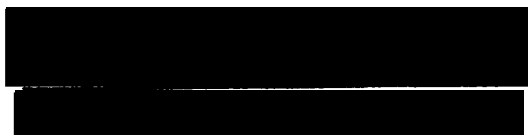
## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this **REQUEST FOR ENTRY OF DEFAULT** and **AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT** and **DEFAULT** was mailed on October 7, 2021 to defendants at the below address:

1. **Alma R. Nunley, Esq**  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*Attorney for Defendants, Jack W. Fischer, Barry F. Armata, and Tommy Fluet*
  
2. **Elizabeth C. Leaming**  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106
  
3. **Mark Stabile**  
*Serve on:* Attorney General William Tong  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106

**Copies were also sent to Defendants at the below address:**

4. **Elizabeth C. Leaming**  
120 School Street, Suite 208  
Danielson, CT 06239
  
5. **Mark Stabile**  
666 Greenwood Manor Circle  
Melbourne, FL 32904



# **APPENDIX 5**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO

*Plaintiffs*

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**Civil Action No: 1:21-CV-02287-ABJ**

**REQUEST FOR ENTRY OF DEFAULT**

**Against Jack W. Fischer and Barry F. Armata in their *Individual Capacity***

TO: Angela D. Caesar  
Clerk of the Court  
United States District Court  
District Of Columbia

Plaintiffs, Deafueh Monbo and Juahdi Monbo request that the clerk of court enter default against Defendants, JACK W. FISCHER and BARRY F. ARMATA in their individual capacity pursuant to Federal Rule of Civil Procedure 55(a) for failure to plead or otherwise defend this action. In support of this request, Plaintiffs rely upon the record in this case and the affidavit submitted herein.

Respectfully Submitted

[Redacted Signature]

[Redacted Signature]

Dated: October 12, 2021

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

DEAFUEH MONBO  
JUAHDI MONBO  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)

*Defendants*

\* \* \* \* \*

**AFFIRMATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**

Plaintiffs Deafueh Monbo and Juahdi Monbo hereby declare as follows:

1. I am Plaintiff in the above-entitled action, and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on August 27, 2021 (Dkt 1), and the summons was electronically issued on September 7, 2021. (Dkt 3)
3. Defendants, JACK W. FISCHER and BARRY F. ARMATA are sued in both their official and individual capacity.
4. Defendants JACK W. FISCHER and BARRY F. ARMATA were served in their official capacity with a copy of the summons and complaint on September 8, 2021 as reflected on the docket sheet by the proof of service filed on September 13, 2021. (Dkt 5)

5. On September 15, 2021, Defendants JACK W. FISCHER and BARRY F. ARMATA were served in their individual capacity with a copy of the summons and complaint as reflected on the docket sheet by the proof of service filed on September 20, 2021 (Dkt 9)
6. An answer to the complaint was due on October 6, 2021, from Defendants JACK W. FISCHER and BARRY F. ARMATA in their individual capacity.
7. Defendants, JACK W. FISCHER, and BARRY F. ARMATA, have failed to plead or otherwise defend within the time allowed and, therefore, are now in default in their individual capacity.
8. Plaintiffs request that the Clerk of Court enter default against the Defendants. A Proposed Default is attached hereto.
9. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief.

Respectfully Submitted:

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

Dated: October 12, 2021

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA**

**DEAFUEH MONBO  
JUAHDI MONBO**  
*Plaintiffs*

**Civil Action No: 1:21-CV-02287-ABJ**

v.

**ELIZABETH C. LEAMING (individually and  
in her official capacity; JACK W. FISCHER,  
(individually and in his official capacity);  
BARRY F. ARMATA (individually and in his  
official capacity); MARK STABILE  
(individually and in his official capacity), and  
TAMMY FLUET (individually and in her  
official capacity)**

*Defendants*

\* \* \* \* \*

**DEFAULT**

I, Angela D. Caesar, Clerk of Court of the United States District Court for the District of Columbia, do hereby certify that defendants JACK W. FISCHER and BARRY F. ARMATA have not filed an answer or otherwise defend with respect to the complaint herein. The default of defendants JACK W. FISCHER and BARRY F. ARMATA is hereby entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: District of Columbia

ANGELA D. CAESAR, Clerk of Court

October \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Deputy Clerk

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this REQUEST FOR ENTRY OF DEFAULT and AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT and DEFAULT was mailed on October 12, 2021 to defendants at the below address:

1. Alma R. Nunley, Esq  
165 Capitol Ave., 5th Floor  
Hartford, CT 06106  
*For Defendants, Jack W. Fischer, Barry F. Armata, and Tammy Fluet*
  
2. Stephen R. Finucane, Esq  
110 Sherman Street  
Hartford, CT 06105  
*For Defendants, Elizabeth C. Leaming and Mark Stabile*

[REDACTED]

[REDACTED]



# **APPENDIX 6**



FOR DOCKET 20

Dear Customer,

The following is the proof-of-delivery for tracking number: [REDACTED]

**Delivery Information:**

<b>Status:</b>	Delivered	<b>Delivered To:</b>	Mailroom
<b>Signed for by:</b>	B.DAVIS	<b>Delivery Location:</b>	333 CONSTITUTION AVE NW
<b>Service type:</b>	FedEx Priority Overnight		
<b>Special Handling:</b>	Deliver Weekday		Washington, DC, 20001
		<b>Delivery date:</b>	Oct 8, 2021 10:24



**Shipping Information:**

<b>Tracking number:</b>	[REDACTED]	<b>Ship Date:</b>	Oct 7, 2021
		<b>Weight:</b>	0.5 LB/0.23 KG

**Recipient:**  
 Attn: CLERK OFFICE, U.S. District Court, Washington DC  
 333 Constitution Avenue  
 Washington, DC, US, 20001

**Shipper:**  
 Deafueh Monbo,  
 [REDACTED]

# **APPENDIX 7**



FOR DOCKET 21

Dear Customer,

The following is the proof-of-delivery for tracking number: [REDACTED]

**Delivery Information:**

<b>Status:</b>	Delivered	<b>Delivered To:</b>	Mailroom
<b>Signed for by:</b>	B.DAVIS	<b>Delivery Location:</b>	333 CONSTITUTION AVE NW
<b>Service type:</b>	FedEx Priority Overnight		
<b>Special Handling:</b>	Deliver Weekday		Washington, DC, 20001
		<b>Delivery date:</b>	Oct 13, 2021 10:18



**Shipping Information:**

<b>Tracking number:</b>	[REDACTED]	<b>Ship Date:</b>	Oct 12, 2021
		<b>Weight:</b>	0.5 LB/0.23 KG

**Recipient:**  
Attn: CLERK OFFICE, U.S. District Court, Washington DC  
333 Constitution Avenue  
Washington, DC, US, 20001

**Shipper:**  
Deafueh Monbo,  
[REDACTED]

B DAVIS

# **APPENDIX 8**



FOR DOCKET 22

Dear Customer,

The following is the proof-of-delivery for tracking number: [REDACTED]

**Delivery Information:**

<b>Status:</b>	Delivered	<b>Delivered To:</b>	Shipping/Receiving
<b>Signed for by:</b>	B.DAVIS	<b>Delivery Location:</b>	333 CONSTITUTION AVE NW
<b>Service type:</b>	FedEx Priority Overnight		
<b>Special Handling:</b>	Deliver Weekday		Washington, DC, 20001
		<b>Delivery date:</b>	Oct 21, 2021 10:19



**Shipping Information:**

<b>Tracking number:</b>	[REDACTED]	<b>Ship Date:</b>	Oct 20, 2021
		<b>Weight:</b>	0.5 LB/0.23 KG

**Recipient:**  
Attn: CLERK OFFICE, U.S. District Court, Washington DC  
333 Constitution Avenue  
Washington, DC, US, 20001

**Shipper:**  
Deafueh Monbo,  
[REDACTED]