

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

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

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

Plaintiffs,

v.

Alex Doe, *et al.*,

Defendants.

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**MOTION FOR ENTRY OF CLERK'S DEFAULT**

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

- (1) Alla Skala (“Skala”);
- (2) Brass Marker s.r.o (“Brass Marker”);
- (3) Ester Holdings, Inc. (“Ester”);
- (4) The Investing Online (“Investing Online”);
- (5) Ivan Hrechaniuk (“Hrechaniuk”);
- (6) Manuchar Daraselia (“Daraselia”);
- (7) Mayon Solutions, Ltd. (“Mayon UK”);
- (8) Olga Abrikosova (“Abrikosova”);
- (9) Olga Tielly (“Tielly”);
- (10) Profit Media Group LP (“Profit Media”);
- (11) Sergiy Prokopenko (“Prokopenko”);
- (12) Wealthy Developments LP (“Wealthy”);
- (13) Marina Garda (“Garda”);
- (14) Trans-Konsalt MR (“Trans-Konsalt”);
- (15) VDD-Trading, Ltd (“VDD”);
- (16) Art Sea Group Ltd (“Art Sea”); and

(17) Dmytro Fokin (“Fokin”).

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

<b>Defendant</b>	<b>Service Date and Type</b>	<b>Response Deadline</b>
The Court authorized Plaintiffs to serve Defendants residing outside the United States (other than those that may be in Ukraine) by email, social media direct messaging (i.e., Facebook or LinkedIn), FedEx International Mail, return receipt requested, and publication. <i>See</i> Mar. 24, 2022 Order [ECF No. 98]. The following Defendants were served with the Amended Complaint [ECF No. 64], Summons [ECF No. 79], and Order granting alternate service [ECF No. 98] pursuant to the following means:		
(1) Skala	(i) April 18, 2022 by FedEx; (ii) April 22, 2022 by email to <a href="mailto:supernotususa@gmail.com">supernotususa@gmail.com</a> . <i>See</i> ECF No. 148 at 2.	May 2, 2022
(2) Brass Marker	April 27, 2022 by email to <a href="mailto:mazzone@bk.ru">mazzone@bk.ru</a> . <i>See id.</i>	May 11, 2022
(3) Ester	April 22, 2022 by email to <a href="mailto:finance@esterholdings.com">finance@esterholdings.com</a> . <i>See id.</i> at 3.	May 6, 2022
(4) Investing Online	April 22, 2022 by email to <a href="mailto:john@theinvesting.online">john@theinvesting.online</a> . <i>See id.</i>	May 6, 2022
(5) Hrechaniuk	April 27, 2022 by social media to his LinkedIn profile. <i>See id.</i>	May 11, 2022
(6) Daraselia	April 27, 2022 by social media to his LinkedIn profile. <i>See id.</i> at 4.	May 11, 2022
(7) Mayon UK	(i) April 19, 2022 by FedEx; (ii) April 22, 2022 by email to <a href="mailto:info@mayon.solutions">info@mayon.solutions</a> and <a href="mailto:sales@mayon.solutions">sales@mayon.solutions</a> . <i>See id.</i>	May 3, 2022
(8) Abrikosova	April 22, 2022 by email to <a href="mailto:olga.abrikosova@gmail.com">olga.abrikosova@gmail.com</a> . <i>See id.</i> at 5.	May 6, 2022
(9) Tielly	April 19, 2022 by FedEx. <i>See id.</i>	May 3, 2022
(10) Profit Media	April 19, 2022 by FedEx. <i>See id.</i> at 5–6.	May 3, 2022
(11) Prokopenko	April 27, 2022 by email to <a href="mailto:mazzone@bk.ru">mazzone@bk.ru</a> . <i>See id.</i> at 6.	May 11, 2022
(12) Wealthy	April 19, 2022 by FedEx. <i>See id.</i>	May 3, 2022
(13) Garda	April 19, 2022 by publication on Plaintiffs’ website. <i>See</i> ECF No. 149 at 2.	May 3, 2022
(14) Trans-Konsalt	April 19, 2022 by publication on Plaintiffs’ website. <i>See id.</i>	May 3, 2022
(15) VDD	April 19, 2022 by publication on Plaintiffs’ website. <i>See id.</i>	May 3, 2022

Defendant	Service Date and Type	Response Deadline
(16) Art Sea	April 19, 2022 by publication on Plaintiffs' website. <i>See id.</i>	May 3, 2022
(17) Fokin	April 19, 2022 by publication on Plaintiffs' website. <i>See id.</i>	May 3, 2022

*Figure 1: Unresponsive Defendants*

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

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

Dated: May 27, 2022

Respectfully submitted,

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*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

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

<b>Alla Skala</b> Via email to supernotususa@gmail.com	<b>Brass Marker s.r.o.</b> Via email to mazzone@bk.ru
<b>Olga Tielly</b> 3rd Floor 207 Regent Street, London, United Kingdom W1B3HH	<b>Ester Holdings, Inc.</b> Via email to finance@esterholdings.com
<b>Peter Mohlnyi</b> Via email to peter.mohylnyi@outlook.com	<b>The Investing Online</b> c/o John Pruglos Via email to john@theinvesting.online
<b>Profit Media Group LP</b> 4 Queen Street, Suite 1, Edinburgh, GB, EH21JE	<b>Ivan Hrechaniuk</b> Via direct message to his LinkedIn profile
<b>Sergiy Prokopenko</b> c/o Brass Marker s.r.o. Via email to mazzone@bk.ru	<b>Manuchar Daraselia</b> Via direct message to his LinkedIn profile
<b>Wealthy Developments LP</b> 4 Queen Street, Suite 1, Edinburgh, United Kingdom EH21JE	<b>Mayon Solutions, Ltd.</b> Via email to info@mayon.solutions and sales@mayon.solutions
<b>Marina Garda</b> Via publication on Plaintiffs' website.	<b>Olga Abrikosova</b> Via email to olga.abrikosova@gmail.com
<b>Trans-Konsalt MR</b> Via publication on Plaintiffs' website.	<b>VDD-Trading, Ltd</b> Via publication on Plaintiffs' website.
<b>Art Sea Group Ltd</b> Via publication on Plaintiffs' website.	<b>Dmytro Fokin</b> Via publication on Plaintiffs' website.

Respectfully submitted,

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