

file

Jeffrey Vernon Merkey
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Plaintiff

FILED
U.S. DISTRICT COURT

2006 JAN 23 P 1:55

DISTRICT OF UTAH

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

BY: _____
DEPUTY CLERK

JEFFREY VERNON MERKEY
Plaintiff,

**PLAINTIFF JEFFREY VERNON
MERKEY'S MOTION FOR ENTRY
OF DEFAULT JUDGMENT RE:
ALAN P. PETROFSKY**

**REQUEST TO SUBMIT FOR
DECISION ORDER TO SHOW CAUSE**

**MOTION TO AMMEND COMPLAINT
FOR DAMAGES**

vs.

Case No: 2:05-cv-521 DAK

Honorable Dale A. Kimball
Honorable Magistrate Samuel Alba

AL PETROFSKY a.k.a. SCOFACFS.OR, et. al.

Defendant.

Plaintiff Jeffrey Vernon Merkey hereby moves to Court to enter Judgment of Default Against Alan P. Petrofsky for the Causes of Action alleged in the 2nd Amended Complaint as Petrofsky has failed to answer the allegations in the original complaint or

provide adequate defenses explaining his conduct, and further asks leave of the Court to allow Plaintiff to Amend his complaint with specified damages. to wit:

1. Costs of \$90.00 for service of process and an additional \$60.00 for Expedited Service to comply with the Courts 20 day notice for service of Summons.

2. Damages in the amount of \$2,000,000.00 for Libel and Defamation based upon his public postings.

3. Damages in the amount of \$20,000,000.00 for distribution of the Novell Settlement agreement on the public internet to over 2,000 websites and individuals within the United States and outside of the United States, and IAW with the provisions of the agreement which specified a liability of \$100,000.00 for each breach of the settlement agreement by Petrofsky.

4. A permanent injunction barring Petrofsky from posting materials on the public internet regarding Plaintiff.

5. A permanent injunction barring Petrofsky from stalking, harrassing, or threatenting Plaintiff.

6. An order of the Court requiring removal of the Novell Settlement Agreement from any third party websites that contain listings, postings, excerpts, terms, or sections of the Novell Settlement agreement, and any agents, employees, servants, or associates of Petrofsky including but not limited to Wikipedia.org, the Wikimedia Foundation, scofacts.org, groklaw.com, groklaw.net, lwn.net, Yahoo SCOX, or any other websites or interactive messages boards which contain copies of materials distributed by Petrofsky.

Respectfully Submitted,

DATED this 19 day of January, 2006.


1/19/06
JEFFREY VERNON MERKEY, Plaintiff

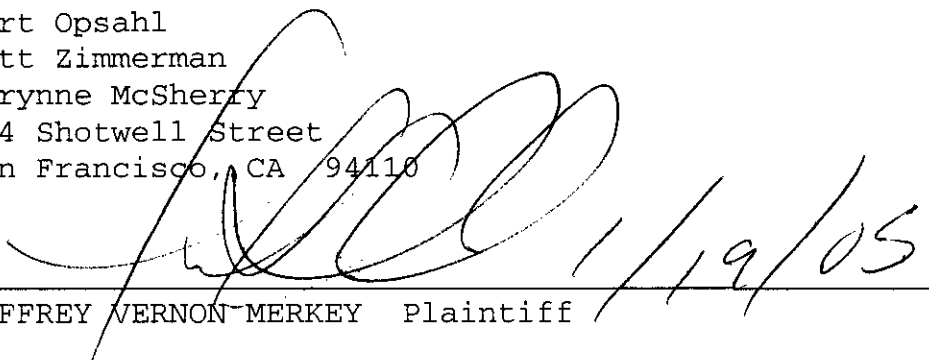
CERTIFICATE OF SERVICE/MAILING

I certify that a true and correct copy of MOTION FOR ENTRY OF
DEFAULT AND REQUEST TO SUBMIT in the styled action of
2:05CV521DAK filed in the US District Court, District of Utah,
Central Division was mailed to all Parties or delivered by hand
or Faxed to:

Alan P. Petrofsky
3618 Alameda
Apt 5
Menlo Park, CA 94025

Margaret Plane
355 North 300 West
Salt Lake City, UT 84103

Kurt Opsahl
Matt Zimmerman
Corynne McSherry
454 Shotwell Street
San Francisco, CA 94118



JEFFREY VERNON-MERKEY Plaintiff