

FILED

1 MARY CUMMINS  
2 Plaintiff  
3 645 W. 9th St. #110-140  
4 Los Angeles, CA 90015  
5 In Pro Per  
6 Telephone: (310) 877-4770  
7 Email: mmmaryinla@aol.com

2012 DEC -7 AM 11:24  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: 

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10 WESTERN DIVISION

11 MARY CUMMINS ) Case No. CV11 08081 DMG (MANx)  
12 Plaintiff )  
13 v. )  
14 AMANDA LOLLAR aka BAT WORLD ) REQUEST FOR ENTRY OF  
15 SANCTUARY an individual person, ) DEFAULT OF DEFENDANTS  
16 BAT WORLD SANCTUARY an ) ANNETTE STARK, REBECCA  
17 unknown business entity, REBECCA ) DMYTRYK  
18 DMYTRYK, ERIC SHUPPS, )  
19 TIFFANY KROG, ANNETTE STARK )  
20 Defendants )

20 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

21 Plaintiff Mary Cummins respectfully requests that the Clerk enter the defaults of  
22 defendants Annette Stark and Rebecca Dmytryk in this action on the grounds that these  
23 defendants have failed to appear or otherwise respond to the Complaint within the 21  
24 day time period prescribed by the Federal Rules of Civil Procedure.


25 Defendant Annette Stark was served via certified mail by Process Server Brandon  
26 Yadegar of On-Call legal October 31, 2012 (Exhibit 1). Defendant's husband Richard  
27 Reinhardt aka Richie Ramone lists this as his home address. Agent of addressee signed  
28 for the mail. The property where Stark was served 5143 Loleta Avenue, Los Angeles,

1 CA 90041 is owned by Tiffany Krog, another defendant in this case. Richie Ramone  
2 and Tiffany Krog live together at this address. Stark has not replied or contacted  
3 Plaintiff.

4 Defendant Rebecca Dmytryk was served via certified mail by Process Server  
5 Brandon Yadegar of On-Call legal November 3, 2012 (Exhibit 2). Defendant Rebecca  
6 Dmytryk lists this address in her website WildRescue.org as her physical contact  
7 address (Exhibit 3). Agent of addressee signed for the mail. Dmytryk has not answered  
8 the lawsuit or made any contact with Plaintiff. Plaintiff also emailed the complaint to  
9 Dmytryk.

10 These defendants were served with a copy of the Complaint as evidenced by the  
11 Proofs of Service filed in this Court with Plaintiff's Notice of Status Report on Proof  
12 of Service of Defendants filed November 27, 2012. Measured from the date of receipt  
13 by defendants, the time for defendants to respond has expired.

14  
15 Respectfully submitted,

16   
17 \_\_\_\_\_

18 Mary Cummins, Plaintiff

19 Dated: December 7, 2012

20 645 W. 9th St. #110-140

21 Los Angeles, CA 90015

22 In Pro Per

23 Telephone: (310) 877-4770  
24  
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28

DECLARATION OF MARY CUMMINS

I, Mary Cummins, Plaintiff In Pro Per, declare and state:

1. I have personal knowledge of the following facts and could competently testify to these facts if called upon to do so.
2. This declaration is submitted in support of Plaintiff's request that the Clerk enter the defaults of defendants Annette Stark and Rebecca Dmytryk.
3. This action was filed on September 29, 2011. Plaintiff sued Defendants for Defamation, Defamation per se, Interference with Business Relations, Interference with Prospective Economic Advantage and Infliction of Emotional Distress.
4. I arranged for personal service of a copy of the Summons and Complaint upon Defendants filed in this court.
5. Under Rule 12 Defendants were supposed to have replied by November 26, 2012 at the latest.
6. By November 29, 2012 I had not received defendants' response to the complaint. I had not received an email, fax, phone call or even a letter from defendants.
7. Defendants are not minors or incompetent persons.
8. Defendants are not currently in the military service, therefore the Service members Civil Relief Act does not apply.
9. I have attached to this declaration a copy of the proofs of service on file with this Court for the above named Defendants.

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

Executed on November 29, 2012, in Los Angeles, California.



Mary Cummins, Plaintiff in Pro Per

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PROOF OF SERVICE BY MAIL  
(FRCivP 5 (b)) or  
(CCP 1013a, 2015.5) or  
(FRAP 25 (d))

I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years.

I further declare that on the date hereof I served a copy of:

**REQUEST FOR ENTRY OF DEFAULT OF DEFENDANTS ANNETTE STARK,  
REBECCA DMYTRYK**

on the following interested parties by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at 645 W. 9th St. #110-140, Los Angeles, CA 90015-1640.

Annette Stark c/o Richard Reinhardt 5143 Loleta Avenue Los Angeles, CA 90041	Dean A. Rocco Jackson Lewis LLP 725 S. Figueroa, # 2500 Los Angeles, CA 90017
Ronald Zurek Wesierksi & Zurek LLP 1000 Wilshire Blvd. #1750 Los Angeles, CA 90017	Sandra McMullen Jackson Lewis LLP 725 S. Figueroa, #2500 Los Angeles, CA 90017
Rebecca Dmytryk 20178 Rockport Way Malibu, CA 90265	

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed this day, December 7, 2012, at Los Angeles, California.

Respectfully submitted,



Mary Cummins, Plaintiff

Dated: December 7, 2012

645 W. 9th St. #110-140

Los Angeles, CA 90015

POS-010

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY:</b> Mary Cummins 645 West 9th Street, #110-140 Los Angeles, CA 90015  <b>TELEPHONE NO.:</b> (310) 877-4770  <b>ATTORNEY FOR:</b>	<b>FOR COURT USE ONLY</b>
<b>UNITED STATE DISTRICT COURT, COUNTY OF LOS ANGELES</b> <b>BRANCH NAME:</b> Central District of California	
<b>PLAINTIFF:</b> Marry Cummins <b>DEFENDANT:</b> Amanda Lollar aka Bat World Sanctuary an individual person, et al.	<b>CASE NUMBER:</b> CV1108081DMG (MANX)
<b>PROOF OF SERVICE OF SUMMONS</b>	<b>Ref. No. or File No.:</b> 38659

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - f. other (specify documents):  
Second Amended Complaint for Damages
3. a. Party served:  
Annette Stark
4. Address where the party was served:  
5143 Loleta Avenue, Los Angeles, CA 90041
5. I served the party
  - c. by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid, on 11/5/2012 from Los Angeles, CA
    - (3) with two copies of the *Notice and Acknowledgement of Receipt* and a postage-paid return envelope addressed to me. (Code Civ. Proc., 415.30.)

10/31/2012 9:57 am Service made. 5143 Loleta Avenue, Los Angeles, CA 90041. Serve subject via certified mail.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
  - a. as an individual defendant.
7. Person who served papers
  - a. Name: Brandon Yadegar  
Firm: On-Call Attorney & Messenger Services, Inc.
  - b. Address: 1875 Century Park East, Suite H, Los Angeles, CA 90067
  - c. Telephone number: (310) 858-9800
  - d. The fee for the service was: \$40.00
  - e. I am:
    - (3) a registered California process server:
      - (i) owner
      - (ii) Registration No.: 6756
      - (iii) County: Los Angeles


Exhibit 1

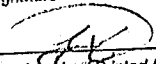
PLAINTIFF: Marry Cummins DEFENDANT: Amanda Lollar aka Bat World Sanctuary an individual person, et al.	CASE NUMBER: CV1108081DMG (MANX)
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8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/10/12

\_\_\_\_\_  
 Brandon Yadegar  
 (NAME OF PERSON WHO SERVED PAPERS)

  
 (SIGNATURE)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <span style="float: right;"><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</span> X 
1. Article Addressed to: Annette Stark 5143 Lolela Avenue Los Angeles, CA 90041	B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span> <span style="float: right;">11-31-12</span> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number <span style="float: right;">7011 2970 0002 7528 9413</span> (transfer from service label)	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

PS Form 3811, February 2004 Domestic Return Receipt 102505-02-M-1540

ATTORNEY OR PARTY WITHOUT ATTORNEY: Mary Cummins 645 West 9th Street, #110-140 Los Angeles, CA 90015  TELEPHONE NO.: (310) 877-4770  ATTORNEY FOR: UNITED STATE DISTRICT COURT, COUNTY OF LOS ANGELES BRANCH NAME: Central District of California		POS-010 FOR COURT USE ONLY
PLAINTIFF: Mary Cummins DEFENDANT: Amanda Lollar aka Bat World Sanctuary an individual person, et al.	CASE NUMBER: CV1108081DMG(MANX)	
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: 38658

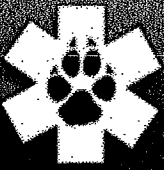
1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - f. other (specify documents):  
Second Amended Complaint for Damages
3. a. Party served:  
Rebecca Dmytryk,
4. Address where the party was served:  
20178 Rockport Way, Malibu, CA 90265
5. I served the party
  - c. by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid, on 11/3/2012 from Los Angeles, CA
    - (3) with two copies of the Notice and Acknowledgement of Receipt and a postage-paid return envelope addressed to me. (Code Civ. Proc., 415.30.)

11/03/2012 4:29 pm Service made. 20178 Rockport Way, Malibu, CA 90265. Serve subject via certified mail.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
  - a. as an individual defendant.
7. Person who served papers
  - a. Name: Brandon Yadegar  
Firm: On-Call Attorney & Messenger Services, Inc.
  - b. Address: 1875 Century Park East, Suite H, Los Angeles, CA 90067
  - c. Telephone number: (310) 858-9800
  - d. The fee for the service was: \$40.00
  - e. I am:
    - (3) a registered California process server:
      - (i) owner
      - (ii) Registration No.: 6756
      - (iii) County: Los Angeles

Exhibit 2







# WildRescue

24-Hour Hotline  
866-WILD-911

[Wildlife Help](#)

[About WildRescue](#)

[Assist WildRescue](#)

Programs

Contact

Administration

Directors

Statement of Purpose

Code of Practice

History & Background

Philosophy & Opinion

## CONTACT

Mobile: 831.840.3896 (non-emergency)

Pager: 831.429.2323

WildRescue  
P. O. Box 65  
Moss Landing CA 95039

Email: [Rebecca Dmytryk](mailto:Rebecca.Dmytryk@wildrescue.org)

EarthWays Foundation

310.456.8300

20178 Rockport Way  
Malibu CA 90265

Exhibit 3