

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CARMINE A. LOPRESTI, etc.

Plaintiff,

-against-

CITIGROUP, INC., et.al.

Defendants.

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1. Plaintiff moves the court for an order pursuant to F.R.C.P. 55(b) directing entry of a default judgment against the defendant COPELAND ASSOCIATES, Inc., and for entry of a final judgment under F.R.C.P. 54 against the defendant CITISTREET, with an order submitting this action to a jury for the sole purpose of determining the amount of damages sustained by the plaintiff due to the wrongful actions of the defaulted defendant CITISTREET.

2. This motion is made and based on the grounds that these two defendants have defaulted in appearing to defend against plaintiff's complaint, and that the liability to the plaintiff by the defendant CITISTREET is not contingent or dependant upon the liability of any co-defendant herein as more fully set forth in plaintiff's affiadavit in support of this motion.

3. The sole issue to be determined is the amount of damages sustained by the plaintiff, as more fully appears in the affidavit of plaintiff's counsel attached hereto.

Dated: Freeport, New York  
April 21, 2003

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