

MAZZEO SONG & BRADHAM, LLP
708 Third Avenue, 19th Floor
New York, New York 10017
(212) 599-0700
Attorney for Plaintiffs
ICON EAR, LLC and ICON EAR II, LLC

USDC NY
E-FILED
ELECTRONICALLY
DOC #:
DATE FILED: 12/8/09

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ICON EAR, LLC and ICON EAR II, LLC,)
)
) **Plaintiffs,**)
)
) **-against-**)
)
) DONNA MALONE and MARK ANSTETT)
)
) **Defendants.**)

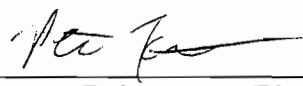
**1:09-cv-07963-AKH-KNF
ECF CASE**

**MOTION FOR
DEFAULT JUDGMENT**

Upon the annexed Affidavit for Default Judgment of Peter B. Katzman, the annexed exhibits and pleadings, plaintiffs ICON EAR, LLC and ICON EAR II, LLC request that this Court enter a Default Judgment against defendants Donna Malone and Mark Anstett based on their failure to appear, plead, or otherwise defend the action after being properly served with the pleadings.


Dated: New York, New York
November 25, 2009

**Respectfully submitted,
MAZZEO SONG & BRADHAM LLP**

By: 
Peter B. Katzman (PK-8030)
John M. Bradham (JB-2342)
708 Third Avenue, 19th Floor
New York, NY 10017
Tel. No.: (212) 599-0700

**Attorneys for Plaintiffs
ICON EAR, LLC and ICON EAR II, LLC**

Motion denied without prejudice to later consideration upon proof of diversity between every constituent jural person of plaintiffs, and defendants. See Curley v. Brignoli, Curley, and Roberts Assoc., 915 F.2d 81, 84 (2d Cir. 1990) (applying complete diversity rule to individual members of an LLC).


12/8/09