



Larkin Hoffman Daly & Lindgren Ltd.

1500 Wells Fargo Plaza  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431-1194

TELEPHONE: 952-835-3800  
FAX: 952-896-3333  
WEB: www.larkinhoffman.com

October 21, 2005

Clerk of District Court  
Cass County Courthouse  
211 S. 9th St.  
P.O. Box 2806  
Fargo, ND 58108-2806

**VIA FACSIMILE**

Re: Doe v. Falk  
Court File No.: 09-05-C-00543

Dear Clerk of Court:

Enclosed for filing, please find the following documents regarding the above-referenced matter:

1. Plaintiff's Notice of Motion and Motion for Protective Order and Default Judgment;
2. Plaintiff's Memorandum of Law in Support of Motion for Entry of Default Judgment and Protective Order;
3. Affidavit of Christopher J. Harristhal;
4. Order for Entry of Default Judgment against Defendant and Protective Order; and
5. Affidavit of Service.

Sincerely yours,

Christopher J. Harristhal, for  
Larkin Hoffman Daly & Lindgren Ltd.

Enclosures

c: ~~Mr. Ed Falk (w/enc.) (via mail)~~  
Gregory A. Broiles, Esq. (w/enc.) (courtesy copy)

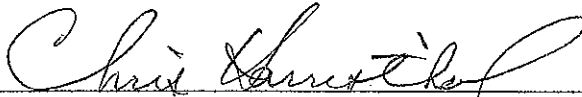
1037162.1

IN DISTRICT COURT, COUNTY OF CASS, STATE OF NORTH DAKOTA

<p>John Doe,  Plaintiff,  v.  Ed Falk,  Defendant.</p>	<p>File No. 09-05-C-00543  <b>PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR PROTECTIVE ORDER AND DEFAULT JUDGMENT</b></p>
--	---

**PLEASE TAKE NOTICE** that on the 9th day of November, 2005, before the Honorable Frank Racek at 11:30 a.m., or as soon thereafter as counsel can be heard, Plaintiff will move the court for entry of a protective order and default judgment. The bases for this motion are contained in the written submissions with this notice, on the pleadings and records before this court, and on argument of counsel.

Dated: October 21, 2005



Christopher J. Harristhal (MN ID No. 175754)  
Pro Hac Vice  
Larkin Hoffman Daly & Lindgren Ltd.  
1500 Wells Fargo Plaza  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431-1194  
(952) 835-3800

Timothy M. O'Keeffe (ND ID No. 05636)  
KENNELLY & O'KEEFFE, LTD.  
Alerus Financial Building  
15 Broadway, Suite 604  
Fargo, North Dakota 58102  
(701) 235-8000

Attorneys for Plaintiff