

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

Sierra Corporate Design, Inc.,

Plaintiff,

vs.

Civil No. 09-05-C-01660

David Ritz and Ed Falk,

Hon. John C. Irby

Defendants.

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**NOTICE OF MOTION AND MOTION TO VACATE DEFAULT JUDGMENT**

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TO: PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that the Defendant Ed Falk's Motion to Vacate Default Judgment will be heard on January 17, 2006 at 9:30 a.m., before the Honorable John Irby at the Cass County Courthouse, Fargo, North Dakota.

The undersigned hereby moves this Court for an Order to Vacate Default Judgment against the Defendant, pursuant to N.D.R.Civ.P. 60(b)(iv) as the Court does not have personal jurisdiction over Defendant Ed Falk. Defendant's motion is based upon the attached Brief in Support of Motion to Vacate Default Judgment, as well as all the files and records in this proceeding.

Dated this 15 day of November, 2005.

By:

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