

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- -X

Plaintiff, _____ Civ. _____ ()

- against -

**AFFIDAVIT FOR
JUDGMENT BY DEFAULT**

Defendant.

----- -X

STATE OF NEW YORK)

)

ss.:

COUNTY OF NEW YORK)

_____, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of _____, attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiff's application for the entry of a default judgment against defendant.

3. This is an action to recover _____ owed by defendant to plaintiff for _____.

4. Jurisdiction of the subject matter of this action is based on _____ jurisdiction.

5. This action was commenced on _____ (*date*) by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendant on

_____(date)_____ by personal service on _____(name)_____,

(STATE SPECIFICALLY HOW SERVICE WAS MADE ON DEFENDANT) and proof of service by the Special Process Server was filed. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

6. This action seeks judgment for the liquidated amount of \$_____, plus interest at _____% from _____(date)_____, for a total as of _____(date)_____ of \$_____, as shown by the annexed Statement, which is justly due and owing, and no part of which has been paid except as therein set forth.

7. The disbursements sought to be taxed have been made in this action or will necessarily be made herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: New York, New York
_____(date)_____

(Attorney's name)

Sworn to before me this _____
day of _____, _____.

Notary Public

IF DEFENDANT IS AN INDIVIDUAL, ATTORNEY'S AFFIDAVIT MUST CONTAIN A STATEMENT THAT HE OR SHE IS NOT A MINOR, MENTALLY INCOMPETENT NOR IN THE MILITARY SERVICE OF THE UNITED STATES.