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6 Attorneys for Plaintiffs,
7 SIERRA NORTHERN RAILWAY and
8 MENDOCINO RAILWAY

9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION**

11 SIERRA NORTHERN RAILWAY, a
California corporation, and MENDOCINO
12 RAILWAY, a California corporation,

13 Plaintiffs,

14 vs.

15 CITY OF FORT BRAGG, and DOES 1
16 through 25, inclusive,

17 Defendants.
18

Case No.: 4:24-cv-04810-JST

REQUEST TO ENTER DEFAULT

Judge: Honorable Jon S. Tigar

Complaint Filed: August 7, 2024

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT,

2 Plaintiffs SIERRA NORTHERN RAILWAY and MENDOCINO RAILWAY (“Plaintiffs”)
 3 hereby request that the Clerk of the above-entitled Court enter default in this matter against Defendant
 4 CITY OF FORT BRAGG (“Defendant”) on the grounds that said Defendant has failed to respond to
 5 the Third Amended Complaint within the time prescribed by the Federal Rules of Civil Procedure.

6 On July 7, 2025, the Honorable Jon S. Tigar entered an order allowing for the filing of a third
 7 amended complaint within 28 days. (ECF No. 45.)

8 On August 4, 2025, Plaintiffs timely filed their Third Amended Complaint via CM-ECF.
 9 (ECF No. 46.)

10 Pursuant to FRCP 15(a)(3), Defendant’s deadline to file a response to the Third Amended
 11 Complaint was August 18, 2025; i.e., within 14 days after service of the amended pleading.

12 As of the submittal of this request for entry of default, Defendant had not filed a response to
 13 the Third Amended Complaint.

14 The above stated facts are set forth in the accompanying declaration of David A. Diepenbrock,
 15 filed concurrently herewith.

16
 17 Dated: September 3, 2025

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 LAW CORPORATION

19 By: /s/ David A. Diepenbrock
 20 David A. Diepenbrock
 21 Attorneys for Plaintiffs
 SIERRA NORTHERN RAILWAY and
 MENDOCINO RAILWAY