

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

GARY R. WALL  
Plaintiff

CASE NO: 3:09CV1066(DJS)

v.

UNITED STATES DEPARTMENT OF JUSTICE  
U. S. ATTORNEYS OFFICE OF NEW HAVEN  
DISTRICT JUDGE JANET C. HALL  
UNKNOWN DISTRICT LAW CLERKS IN THE  
MEANING OF BIVENS  
CIRCUIT JUDGE SONIA SOTOMAYOR  
UNKNOWN LAW CLERKS IN THE MEANING  
OF BIVENS (3) 42 U.S.C. defendants  
28 U.S.C. 1361 "ACTION IN THE NATURE OF  
MANDAMUS

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CONGRESSMAN JOHN LARSON (1)  
"FEDERAL QUESTION" 28 U.S.C. 1331 DEFENDANT  
Defendants

**PLAINTIFFS REQUEST FOR A JUDGMENT BY DEFAULT AGAINST  
DEFENDANT SOTOMAYOR AND DEFENDANT HALL**

RESPECTFULLY SUBMITTED BY:

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GARY R. WALL 5<sup>TH</sup> AMENDMENT PLAINTIFF  
60 Carriage Hill Drive  
Wethersfield, CT. 06109  
(860) 529-2651

DATED: 11/12/2009

## **PLAINTIFFS REQUEST FOR JUDGEMENT BY DEFAULT**

This request for judgment by default is being requested by reason of the fact that both Defendant Sotomayor and Defendant Hall are far beyond the time to be in compliance with F.R.C.P. 12(a)(3), see Docket #13 filed August 14, 2009 “SERVICE RETURNS” Defendant Sotomayor served Second Circuit July 8, 2009 no Rule 12 answer or appearance made. Defendant Hall served July 7, 2009 no Rule 12 answer or appearance made. Defendant Sotomayor and Defendant Hall are the only two defendants where [no appearance] has been filed; therefore, in default in the meaning of Rule 12(a)(3). Defendant Larson is being represented by the General Counsel U. S. House of Representatives has answered in accordance with Rule 12(a)(3). The Department of Justice (O’Connor/Dannehy) represented by the United States Attorneys Office.

Therefore, this plaintiff respectfully request Your Honor find both Defendant Sotomayor and Defendant Hall in default. This plaintiff brought this representation problem to the Court’s attention prior in a document filed September 28, 2009 Docket #18 quoted for the Court’s convenience:

### *“SERVICE UPDATE SOTOMAYOR AND HALL*

*This update is being written for purposes of clarity to inform the Court that as of this writing both defendants Sotomayor and defendant Hall have not filed an appearance in this matter. Both defendant judges are being served in CHAMBERS. This petitioner assumes that defendant Sotomayor is taking service at Supreme Court Chambers because of the letter I sent to the Chief Justice in his capacity as Chief of the Judicial Conference regarding the return of filing from Defendant Sotomayor’s Chambers (letter entered in this court September 8, 2009). Since the letter there has been no filings returned, so I assume the Chief Justice directed defendant Sotomayor to follow the Rules and take service. Both defendant Sotomayor and Hall are late in their Rule 12 responses by reason of the fact there has been no appearance filed by or for them.”*

At that time this plaintiff's intentions were to just bring the representation problem to the Court's attention. This now is a formal request for judgment by default in compliance with Rule 12(a)(3).

**RELIEF**

The relief being is what the documents and facts would have exposed that being that both defendant Hall in the district and defendant Sotomayor in the Circuit (inter alios) were part of a planned effort to obstruct any pleading that expose the D.O.J's LIUNA's "Operating Agreement" as a conspiracy against the Lawful Functions of the United States obstructing either directly by the D.O.J. or indirectly by the D.O.J. and in so doing, usurped two citizens Constitutional Due Process Rights also in a related discovery matter. Defendant Hall is still holding a discovery related 5 U.S.C. 552 (4200.00) dollar Fee Waiver F.O.I.A. Complaint (filed March 3, 2009).

Respectfully Submitted By:

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GARY R. WALL  
60 Carriage Hill Drive  
Wethersfield, CT. 06109  
(860) 529-2651

**CERTIFICATION**

This is to certify that a copy of Motion for Judgment by Default has been sent first class postage pre paid this 12<sup>th</sup> day of November 2009 to:

CHAMBERS  
Honorable Sonia Sotomayor  
UNITED STATES SUPREME COURT  
First Street N. E.  
Washington, D.C. 20548

CHAMBERS  
Honorable Janet C. Hall  
UNITED STATES COURT HOUSE  
915 Lafayette Boulevard  
Bridgeport, Connecticut 06604

United States Attorneys Office  
c/o Michelle L. McConaghy A.U.S.A.  
157 Church Street  
New Haven, CT. 06510  
Representing D.O.J. O'Connor/Dannahey  
Office of the General Counsel  
U. S. House of Representatives  
c/o Kerry W. Kircher, Deputy G.C.  
219 Cannon House Office Building  
Washington, D. C. 20515

Department of Justice Office of the Solicitor General  
c/o Acting Solicitor General Edwin Kneedler  
950 Pennsylvania Avenue  
Washington, D. C. 20530

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GARY R. WALL