

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Virgin Records America, INC, a California Corp. :
Interscope Records, a California general partnership :
UMG Recordings, INC a Delaware Corp, and Sony :
BMG music Entertainment, a Delaware general partnership :
Plaintiff, :

-against-

Nicole Young

Defendant(s).

NOTICE OF MOTION

07 CV H14 (DGT)

PLEASE TAKE NOTICE that upon the annexed affidavit or
affirmation of Nicole Young, sworn to or affirmed

Sept 8, 2008 ~~and upon the complaint herein,~~

~~DEFENDANT~~ ~~plaintiff~~ will move this Court, HON. DAVID G. TRAGER, U.S.D.J.,

in room 7075, United States Courthouse, Brooklyn, New York 11201,

on the ~~10th~~ 8 day of September, 2008, at _____ or as soon

thereafter as ~~counsel~~ PRO SE DEFENDANT can be heard, for an order pursuant to

~~Rule~~ ~~of~~ the Federal Rules of Civil Procedure granting

my motion to vacate the default judgement that was issued

on 5/15/2008

Dated: KINGS, New York

Sept 8, 2008

Plaintiff Pro Se

Nicole Young
Signature

Nicole Young

Print Name
PRO SE DEFENDANT

Address
5 Lexington Hills #3

Harriman NY 10926
Phone #



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X
Virgin Records America Inc, a California Corp. :
Interscope Records, a California general partnership :
UMG Recordings, Inc, a Delaware Corp. and Sony BMG :
music entertainment, a Delaware general partnership :
Plaintiff, :

AFFIDAVIT/AFFIRMATION

-against- :
Nicole Young :
Defendant (s) . :
_____ X

07 CV 414 (DGT)

STATE OF NEW YORK)
COUNTY OF Kings) ss.:

I, Nicole Young, [being duly sworn] deposes and says
[or: make the following affirmation under the penalties of
perjury]:

I, Nicole Young, am the ^{pro se Defendant} ~~plaintiff~~ in the above
entitled action, and respectfully move this Court to issue an
order _____.

The reason why I am entitled to the relief I seek is the
following: please see letter attached.

WHEREFORE, I respectfully request that the court grant the
within motion, as well as such other and further relief that may
be just and proper.

Sworn to before me this 07
day of Sept, 2008

[Signature]
Notary Public
KAMAL P. SONI
Notary Public, State of New York
No. 01SO6089949
Qualified in Kings County
Commission Expires March 31, 2011

Nicole Young
Signature
Nicole Young
Print Your name
~~Plaintiff Pro Se~~
PRO SE DEFENDANT

Nicole Young
5Lexington Hills #3
Harriman, New York 10926

September 3,2008

Hon. David G. Trager
United States Courthouse
Brooklyn, New York 11201

Dear Sir,

I am writing this letter to request a motion to vacate a default Judgment issued on May 15,2008, that was unfairly imposed on me regarding a civil action by Virgin Records America,Inc., Interscope Records, Umg Recordings,Inc., and Sony Bmg Music Entertainment.

My reasons for seeking this relief are as follows:

On the 22nd day of February,2007, I was not residing at 114-44 201st street, and I have no relative fitting the description of a black male approx. 40-45 years old, 5'10"-6feet in height, weighing 180-200 lbs with black hair, therefore I was not served with any papers.

I moved from that address since October, 2005,due to conflict with my landlady. She often went into my apartment in my absence, without my permission. She had illegally removed the kitchen and bathroom from my apartment, after which I started court proceedings against her, but she made an out of court settlement with me. Many times I observed evidence that someone had been in my apartment, and I would often notice that there were programs on my computer that I had not initiated. I do not have a spouse, and the above description fits perfectly with my Landlady's boyfriend Gary Mitchell, who does not and never had authorization to receive papers on my behalf.

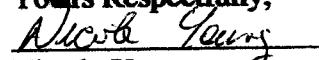
I moved to 119-29 190st from October, 2005 to February 2006. During this time I had absolutely no contact with my former landlady or any of the other persons who lived at my former address.

When I moved from that address, I also threw out my computer, which was old and not working properly. I have since been told that I should have removed the hard drive to prevent anyone from illegally tampering with it.

I am extremely distressed by this judgment, especially since I was not even aware of papers being served for me to attend court proceedings. I have never downloaded music from my computer, I do not know how to download music, and I do not even listen to the type of music listed. I respectfully ask the court to accept my motion to vacate this default judgment issued on May 15, 2008 and to discontinue any further legal action against me.

Thank you,

Yours Respectfully,


Nicole Young

