

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

*Defendants filed this motion on 4/23/08.  
Due date 4/24 as per Judge Bennett.*

BRIAN CHARLES VAETH :

Plaintiff :

vs. :

Civil Action No. RDB-08-708

BOARD of TRUSTEES, FIRE & POLICE  
EMPLOYEES RETIREMENT SYSTEMS of  
BALTIMORE CITY :

Defendants :

oOo

**PLAINTIFF'S MOTION FOR JUDGMENT BY DEFAULT AGAINST THE DEFENDANTS**

The undersigned plaintiff, Brian Charles Vaeth, petitions this Court for entry of a default judgment as to defendants Mayor and City Council of Baltimore City, upon the complaint heretofore filed and served upon the defendant, in accordance with the provisions of Rule 55(b)(1), Federal Rules of Civil Procedure, and in support thereof shows the Court the following.

1. On March 17, 2008, I filed in the United States District Court, for the District of Maryland, a Complaint alleging judicial misconduct, ineffectiveness of counsel, malfeasance in office, denial of procedural due process, and negligence, among all other laws, as the claims for which relief can be granted by the defendants in violation of Federal, Maryland State, and Baltimore City Laws and statutes. In addition to that Complaint, a Motion to Proceed in Forma Pauperis, was also filed due to my indigent status and granted by the Honorable Richard D. Bennett, US District Court Judge. A copy of said Complaint is attached hereto as Exhibit 1 and is incorporated herein by reference.
2. On April 4, 2008, a copy of said Complaint and a Summons in a Civil Action were served by the United States Marshals Service upon George Nilson, Baltimore City Solicitor of defendant, at Mr. Nilson's place of business located at City Hall, Room 212, 100 N. Holliday Street, Baltimore, Maryland 21202. A copy of the Process Receipt and Return and Summons is attached hereto as Exhibit 2 and is incorporated herein by reference.

3. On April 24, 2008, after more than twenty days has elapsed since the service of said Complaint and Summons upon defendants, no Answer thereto has been served by the defendants upon me.

4. Defendant has failed to plead or otherwise defend this action, and I am entitled to judgment by default against the defendants.

5. Pursuant to the provisions of Rule 55(b)(2), Federal Rules of Civil Procedure, this Court is empowered to enter a default judgment against the defendants for relief sought by plaintiff in its complaint, and written notice of this action has been given to defendant as set forth in the attached affidavit.

PRAYER

WHEREFORE, I pray that this Court enter a judgment of default against defendants.

AFFIDAVIT

I, Brian Charles Vaeth, do hereby certify that the statements and allegations set forth in the foregoing Motion and the accompanying Memorandum are true and accurate to the best of my knowledge and belief. The specific relief sought in this action is as follows; **\$100,000,000** in punitive damages, **\$2,500,000** in actual damages, and any and all further relief as granted by the Court.

*COPY OF FILING. BJV 5/13/08*

Brian Charles Vaeth, plaintiff  
8225 Poplar Mill Road  
Nottingham, Maryland 21236-5581  
(410) 931-4423

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BOARD of TRUSTEES, FIRE & POLICE  
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**CERTIFICATE OF SERVICE & AFFIDAVIT**

I, Brian Charles Vaeth, plaintiff in proper person in the above captioned matter do hereby solemnly affirm that the contents of the enclosed Motions for Judgment by Default or in the alternative, Motion for Sanctions, has been forwarded to the defendants by US mail, first class, postage prepaid on the 13<sup>th</sup> day of May, 2008.



Brian Charles Vaeth, plaintiff  
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