

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROBERT H. BRAVER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-05-210-T
)	
NEWPORT INTERNET MARKETING)	
CORPORATION, and ROBERT ALAN)	
SOLOWAY,)	
)	
Defendants.)	

ORDER

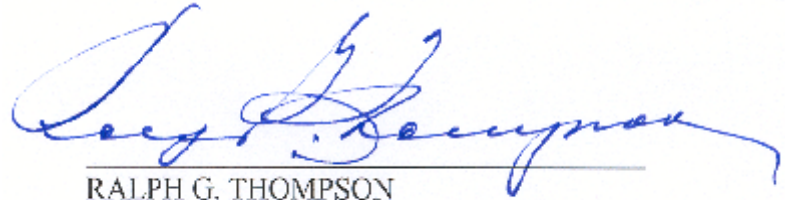
The Court has before it Plaintiff's September 12, 2005, "Motion for Default Judgment." Because Defendants have entered an appearance herein and because Plaintiff's claim is not "for a sum certain or for a sum which can by computation be made certain,"¹ a hearing on Plaintiff's motion must be held. Accordingly, and pursuant to Fed.R.Civ.P. 55(b)(2), the parties are notified that a hearing will be held on Plaintiff's motion on September 22, 2005, at 1:30 p.m. in Courtroom 502.

Defendant's former counsel is directed to provide a copy of this order to his former clients

immediately upon receipt and to notify the Court by written notice that the same has been accomplished.

¹ Plaintiff's prayer for damages in his state court Petition was for an amount "in excess of \$10,000." (Doc. No. 1.) His affidavit in support of his request for a default judgment does not transform his lawsuit into one "for a sum certain under Rule 55(b)(1)." World Alliance Consulting, Inc. v. Docplanet.com, Inc., 57 Fed.Appx. 390, 392 (10th Cir. 2003).

IT IS SO ORDERED this 14th day of September, 2005.

A handwritten signature in blue ink, appearing to read "Ralph G. Thompson", written in a cursive style. The signature is positioned above a horizontal line.

RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE