

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

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GEORGE OUZOUNIAN, P/K/A MADDOX, and
JANE DOE,

Index No. 656779/2017

Plaintiffs',

- against -

DAX HERRERA P/K/A DICK MASTERSON,
FOUNDATION DIGITAL, LLC,
GREG BOSER, LOREN BAKER,
CMGRP, INC., D/B/A WEBER SHANDWICK,
JOSHUA KAUFMAN, ASTERIOS KOKKINOS,
TREVOR BIRT, PATREON, INC., and
JORDAN COPE,

Defendants.

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**AFFIRMATION OF KEVIN LANDAU, ESQ., IN SUPPORT OF DEFAULT
JUDGMENT AGAINST DEFENDANT ASTERIOS KOKKINOS, ONLY**

KEVIN A. LANDAU, affirms the following, subject to the penalties for perjury:

1. I am an attorney admitted to practice law in the State of New York and counsel to Plaintiff herein.
2. I have personal knowledge of the matters set forth below, and the exhibits annexed hereto are true copies of the original documents.
3. I submit this Affirmation in support of Plaintiff's application for the entry of a default judgment against Defendants' Asterios Kokkinos ("Defendant" or "Kokkinos"), pursuant to CPLR 3215(a).
4. This action was commenced on November 6, 2017. A true copy of the Summons and Complaint is annexed hereto as **Exhibit One**.

5. Jurisdiction of the subject matter of this action is based on personal jurisdiction, as Defendant Kokkinos resides in New York, New York and is employed as a Senior Copywriter by Weber Shandwick, at its office located in New York, New York.

6. On November 9, 2017, Lawson Legal Services (New York process servers) was engaged to handle service of process for Defendant Kokkinos. A true copy of the Proof(s) of Service for Defendant Kokkinos is annexed hereto as **Exhibit Two**.

7. On or about November 14, 2017, Defendant Kokkinos sent a tweet from his Twitter page, acknowledging service of Plaintiffs' lawsuit upon him, stating in pertinent part, as follows: "What's got two thumbs and is getting sued by @MaddoxRules? THIS GUYYYYYY!" Further, Defendant Kokkinos asked his followers to "contribute to the Asterios Kokkinos Legal Defense." Moreover, Defendant Kokkinos attached a copy of the Summons from Plaintiffs' Complaint to this Tweet. Annexed hereto as **Exhibit Three** is a true copy of this tweet.

8. Considering that Defendant Kokkinos was personally served with the Summons and Complaint on November 9, 2017, his Answer to Plaintiff's Complaint was due on November 30, 2017, or on December 9, 2017, at the latest.

9. Plaintiff has not received any correspondence from Defendant Kokkinos, or his counsel, relative to the Summons and Complaint, filed against him.

10. Therefore, as of November 30, 2017, Defendant Kokkinos was in default pursuant to CPLR 3215 for his failure to plead, answer, or otherwise defend this action as fully appeared from the court file herein and from the attached affidavit, and exhibits annexed hereto.

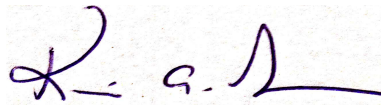
11. As such, the time for Defendant Kokkinos to appear or file an answer has past, and Kokkinos has not filed an answer, and therefore he is plainly in default, for his failure to answer Plaintiffs' Complaint, under CPLR 3215.

12. Accordingly, based on the foregoing, and the documents annexed thereto, Plaintiff respectfully requests that the Court grant leave, and enter judgment by Default against Defendant Kokkinos, for the relief demanded in Plaintiffs' Complaint, and in the proposed order, attached hereto, pursuant CPLR 3215.

Dated: New York, New York
December 14, 2017

Respectfully submitted,

THE LANDAU GROUP, PC



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Attorneys for Plaintiffs' Ouzounian and Doe