

2016 JUL 27 AM 8:37

Dr. Lakshmi Arunachalam  
222 Stanford Avenue  
Menlo Park, California 94025  
Laks22002@yahoo.com  
Tel: 650.690.0995

*Pro Se Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DR. LAKSHMI ARUNACHALAM

Plaintiff,

v.

Case No. 1:16-CV-281-RGA

INTERNATIONAL BUSINESS MACHINES  
CORPORATION, SAP AMERICA, INC.,  
J.P. MORGAN CHASE AND COMPANY,  
HON. RICHARD G. ANDREWS, AND  
DOES 1-100

**JURY TRIAL DEMANDED**

Defendants.

**PLAINTIFF'S MOTION FOR RE-CONSIDERATION OF CLERK'S ORDER OF  
DENIAL OF MOTION FOR ENTRY OF DEFAULT**


*Pro Se* Plaintiff, Dr. Lakshmi Arunachalam ("Dr. Arunachalam"), moves that the clerk of the court re-consider the Clerk's Order, dated July 26, 2016, of Denial of Motion for Entry of Default, and requests that the clerk enter default against defendant Hon. Richard G. Andrews pursuant to Federal Rules of Civil Procedure 55 (a). The Statement of Interest filed by the U.S. Department of Justice ("DOJ") is irrelevant to the fact that said defendant failed to appear, plead or otherwise defend within the time allowed and, therefore, is now in default, as required by the Federal Rules of Civil Procedure. The DOJ has confirmed that the DOJ does not represent said defendant Hon. Richard G. Andrews and that the DOJ is not said defendant's lawyers representing him in this case nor did the DOJ file said defendant's Answer to the Amended complaint in this case and that the Statement of Interest filed by the U.S. Department of Justice

1 ("DOJ") is not said defendant's Answer to the Amended complaint in this case. In support of this  
2 request, Plaintiff relies upon the record in this case and Dr. Arunachalam's Declaration submitted  
3 herein. A Certificate of Service is attached.

4 DATED: July 26, 2016

Respectfully submitted,

5  
6 222 Stanford Avenue  
Menlo Park, CA 94025  
7 650 690 0995, [laks22002@yahoo.com](mailto:laks22002@yahoo.com)

  
Dr. Lakshmi Arunachalam  
Pro-Se Plaintiff

1 UNITED STATES DISTRICT COURT  
2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE DISTRICT OF DELAWARE

4 DR. LAKSHMI ARUNACHALAM

5 Plaintiff,

6 v.

7 INTERNATIONAL BUSINESS MACHINES  
8 CORPORATION, SAP AMERICA, INC.,  
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10 HON. RICHARD G. ANDREWS, AND  
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11 Defendants.

Case No. 1:16-CV-281-RGA

**JURY TRIAL DEMANDED**

12  
13 **DECLARATION OF DR. LAKSHMI ARUNACHALAM**  
14 **IN SUPPORT OF FOR RE-CONSIDERATION OF CLERK'S ORDER OF DENIAL OF**  
15 **MOTION FOR ENTRY OF DEFAULT**

16 I, LAKSHMI ARUNACHALAM, declare:


17 I am the inventor and assignee of the U.S. Patent No. 7,340,506/US 7,340,506 C1 that has  
18 re-emerged successfully from an *inter-partes* re-examination by the United States Patent and  
19 Trademark Office initiated by Microsoft, and also of the patents-in-suit, all of which derive their  
20 priority date from my provisional patent application with S/N 60/006,634 filed November 13,  
21 1995. I reside at 222 Stanford Avenue, Menlo Park, CA 94025. I am *pro se* Plaintiff in the above-  
22 captioned action. I make this declaration based on personal knowledge and, if called upon to do  
23 so, could testify competently thereto.

- 24
- 25 1. I am *pro se* Plaintiff in the above-entitled action and I am familiar with the file, records  
26 and pleadings in this matter.
  - 27 2. The summons and complaint were filed on May 13, 2016.
- 28

- 1 3. Defendant Hon. Richard G. Andrews was served with a copy of the summons and  
2 complaint on May 13, 2016, as reflected by the docket sheet by the proof of service filed  
3 on May 16, 2016.
- 4 4. An answer to the complaint was due on July 12, 2016.
- 5 5. Defendant Hon. Richard G. Andrews has failed to appear, plead or otherwise defend  
6 within the time allowed and, therefore, is now in default.
- 7 6. The U.S. Department of Justice ("DOJ") has confirmed that the DOJ does not represent  
8 said defendant Hon. Richard G. Andrews and that the DOJ is not said defendant's lawyers  
9 representing him in this case nor did the DOJ file said defendant's Answer to the  
10 Amended complaint in this case and that the Statement of Interest filed by the U.S.  
11 Department of Justice ("DOJ") is not said defendant's Answer to the Amended complaint  
12 in this case.
- 13 7. The Statement of Interest filed by the U.S. Department of Justice ("DOJ") is irrelevant to  
14 the fact that said defendant failed to appear, plead or otherwise defend within the time  
15 allowed and, therefore, is now in default, as required by the Federal Rules of Civil  
16 Procedure.
- 17 8. Plaintiff requests that the clerk of court enter default against the defendant Hon. Richard  
18 G. Andrews.

19 I declare under the penalty of perjury under the laws of the United States and the State of  
20 California and Delaware that the foregoing is true and correct. Executed this 26<sup>th</sup> day of July,  
21 2016 in Menlo Park, California.

22 222 Stanford Avenue  
23 Menlo Park, CA 94025  
24 650 690 0995, [laks22002@yahoo.com](mailto:laks22002@yahoo.com)

  
Dr. Lakshmi Arunachalam

1 UNITED STATES DISTRICT COURT  
2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE DISTRICT OF DELAWARE

4 DR. LAKSHMI ARUNACHALAM

5 Plaintiff,

6 v.

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8 CORPORATION, SAP AMERICA, INC.,  
9 J.P. MORGAN CHASE AND COMPANY,  
10 HON. RICHARD G. ANDREWS, AND  
11 DOES 1-100

12 Defendants.

Case No. 1:16-CV-281-RGA

**JURY TRIAL DEMANDED**

13 **ENTRY OF DEFAULT**

14 *Pro Se* Plaintiff, Dr. Lakshmi Arunachalam, ("Dr. Arunachalam"), requests that the clerk  
15 reconsider the Clerk's Order of Denial of Motion for Entry of Default and requests that the clerk  
16 enter default against defendant Hon. Richard G. Andrews pursuant to Federal Rules of Civil  
17 Procedure 55 (a). It appearing from the record that defendant Hon. Richard G. Andrews has failed  
18 to appear, plead or otherwise defend, the default of defendant Hon. Richard G. Andrews is hereby  
19 entered pursuant to Federal Rule of Civil Procedure 55(a).

20 Dated this \_\_\_\_\_ day of July, 2016.

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25 \_\_\_\_\_  
John A. Cerino, Clerk of Court  
26  
27  
28

UNITED STATES DISTRICT COURT  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DR. LAKSHMI ARUNACHALAM

Plaintiff,

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INTERNATIONAL BUSINESS MACHINES  
CORPORATION, SAP AMERICA, INC.,  
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**CERTIFICATE OF SERVICE**

I, Dr. Lakshmi Arunachalam, do hereby certify that on July 26, 2016, I served a copy of the foregoing via electronic mail and/or U.S. mail to counsel of record for IBM, SAP America Inc., JPMorgan Chase and Company and the U.S. Attorney who filed D.I. 33 and I also sent it to Parcels, Inc. on July 26, 2016 to be delivered to the Clerk of the Court for filing and docketing in this case and for Parcels Inc. to deliver a service copy to the defendant, Hon. Judge Andrews of the attached Motion for Re-consideration of Clerk's Order of Denial of Motion for Entry of Default, Dr. Arunachalam's Declaration in support thereof and proposed Entry of Default at the address stated below,

Name of Defendant: Hon. Richard G. Andrews,  
Address of Defendant: 844 N. King Street, Wilmington, DE 19801

DATED: JULY 26, 2016



DR. LAKSHMI ARUNACHALAM  
222 Stanford Avenue  
Menlo Park, CA 94025  
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Defendants.

Case No. 1:16-CV-281-RGA

**JURY TRIAL DEMANDED**

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, do hereby certify that I am employed by Parcels, Inc. and am of such  
age and discretion as to be competent to serve papers.

I further certify that on this date I delivered a copy of the Motion for Re-consideration of  
Clerk's Order of Denial of Motion for Entry of Default, Dr. Arunachalam's Declaration in  
support thereof and proposed Entry of Default to the defendant Hon. Richard G. Andrews at the  
address stated below, which is the last known address of said defendant:

Name of Defendant: Hon. Richard G. Andrews,  
Address of Defendant: 844 N. King Street, Wilmington, DE 19801

DATED: JULY 26, 2016

SIGNATURE:

*Michelle Pedicone*  
NAME OF DELIVERY PERSON FROM PARCELS, INC.