

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
04-CVS-8736

THOMAS F. MCCLEERY et al, )  
)  
Plaintiffs, )  
)  
v. )  
)  
JAMES CHARLES REIVES; LOUIS )  
MICHAEL LAZORWITZ; JACKIE )  
DOBSON PRITCHETT; LAZOR, LTD.; )  
AND TRI-STAR INVESTMENT )  
GROUP, LLC a/k/a TRI-STAR )  
INVESTMENT GROUP )  
)  
Defendants. )

**MOTION FOR DEFAULT  
JUDGMENT (DEFJ)**

NOW COME the Plaintiffs, by and through counsel, pursuant to Rule 55(b)(2)(b)(1) of the North Carolina Rules of Civil Procedure, and moves the Clerk of Superior Court for Judgment by Default in the above entitled action against Defendants JAMES CHARLES REIVES, LOUIS MICHAEL LAZORWITZ, JACKIE DOBSON PRITCHETT, LAZOR, LTD., AND TRI-STAR INVESTMENT GROUP, LLC a/k/a TRI-STAR INVESTMENT GROUP. In support of the foregoing motion, Plaintiffs show unto the Court the following:

1. Plaintiffs' original summons and complaint were served on the Defendants personally on the following dates:

JAMES CHARLES REIVES	November 17, 2004;
LOUIS MICHAEL LAZORWITZ	July 6, 2004;
JACKIE DOBSON PRITCHETT	July 7, 2004;
LAZOR, LTD.	July 6, 2004;

TRI-STAR INVESTMENT GROUP, LLC  
a/k/a TRI-STAR INVESTMENT GROUP                      October 26, 2004.

2. Plaintiffs' amended complaint was served on the Defendants on the following dates:

JAMES CHARLES REIVES    December 8, 2004;

LOUIS MICHAEL LAZORWITZ    December 8, 2004;

JACKIE DOBSON PRITCHETT    December 8, 2004;

LAZOR, LTD.    December 8, 2004;

TRI-STAR INVESTMENT GROUP, LLC  
a/k/a TRI-STAR INVESTMENT GROUP                      December 8, 2004.

3. Plaintiffs' second amended complaint was served on the Defendants on the following dates:

JAMES CHARLES REIVES    February 9, 2005;

LOUIS MICHAEL LAZORWITZ    February 9, 2005;

JACKIE DOBSON PRITCHETT    February 9, 2005;

LAZOR, LTD.    February 9, 2005;

TRI-STAR INVESTMENT GROUP, LLC  
a/k/a TRI-STAR INVESTMENT GROUP                      February 9, 2005.

4. Plaintiffs' third amended complaint was served on the Defendants on the following dates:

JAMES CHARLES REIVES    March 29, 2005;

LOUIS MICHAEL LAZORWITZ    March 29, 2005;

JACKIE DOBSON PRITCHETT    March 29, 2005;

LAZOR, LTD.    March 29, 2005;

TRI-STAR INVESTMENT GROUP, LLC  
a/k/a TRI-STAR INVESTMENT GROUP                      March 29, 2005.

5. Plaintiffs' forth amended complaint was served on the Defendants personally on the following dates:

JAMES CHARLES REIVES	April 6, 2005;
LOUIS MICHAEL LAZORWITZ	April 6, 2005;
JACKIE DOBSON PRITCHETT	April 6, 2005;
LAZOR, LTD.	April 6, 2005;
TRI-STAR INVESTMENT GROUP, LLC a/k/a TRI-STAR INVESTMENT GROUP	April 6, 2005.

6. A Motion for Entry of Default against Defendants JAMES CHARLES REIVES, LOUIS MICHAEL LAZORWITZ, JACKIE DOBSON PRITCHETT, LAZOR, LTD., AND TRI-STAR INVESTMENT GROUP, LLC a/k/a TRI-STAR INVESTMENT GROUP was filed on March 30, 2005.

7. The Clerk of Superior Court of Wake County made Entry of Default against Defendants JAMES CHARLES REIVES, LOUIS MICHAEL LAZORWITZ, JACKIE DOBSON PRITCHETT, LAZOR, LTD., AND TRI-STAR INVESTMENT GROUP, LLC a/k/a TRI-STAR INVESTMENT GROUP on May 26, 2005.

8. Defendants JAMES CHARLES REIVES, LOUIS MICHAEL LAZORWITZ, JACKIE DOBSON PRITCHETT, LAZOR, LTD., AND TRI-STAR INVESTMENT GROUP, LLC a/k/a TRI-STAR INVESTMENT GROUP were served with the Entry of Default on June 8, 2005.

9. To date no Defendant has responded, and no Defendant has made any effort to plead.

10. No Defendant is an infant or an incompetent or serving in the U.S. military.

WHEREFORE, the Plaintiffs respectfully request the entry of Default Judgment against Defendants JAMES CHARLES REIVES, LOUIS MICHAEL LAZORWITZ, JACKIE DOBSON PRITCHETT, LAZOR, LTD., AND TRI-STAR INVESTMENT GROUP, LLC a/k/a TRI-STAR INVESTMENT GROUP.

This 5<sup>th</sup> day of August, 2005.

RISER ADKISSON LLP

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BY: \_\_\_\_\_

Christopher M. Riser  
Attorney for Plaintiffs  
N.C. State Bar No. 24485  
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Tel. (404) 634-0750  
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CERTIFICATE OF SERVICE

This is to certify that a copy of the preceding Motion for Default Judgment has been duly served upon the Defendants by depositing a copy thereof in the United States mail, first-class, postage prepaid, addressed to the following:

James Charles Reives  
Inmate Number 18779-056  
USP Lee  
U.S. Penitentiary  
Post Office Box 305  
Jonesville, VA 24263

Louis Michael Lazorwitz  
Inmate Number 21578-056  
FCI Beaumont Medium  
Federal Correctional Institution  
P.O. Box 26040  
Beaumont, TX 77720

Jackie Dobson Pritchett  
Inmate Number 21513-056  
FCI Marianna  
Federal Correction Institution  
P.O. Box 7007  
Marianna, FL 32447

Lazor, Ltd.  
c/o Louis Michael Lazorwitz, Principal  
Inmate Number 21578-056  
FCI Beaumont Medium  
Federal Correctional Institution  
P.O. Box 26040  
Beaumont, TX 77720

Tri-Star Investment Group, LLC  
a/k/a Tri-Star Investment Group  
c/o Louis Michael Lazorwitz, Principal  
Inmate Number 21578-056  
FCI Beaumont Medium  
Federal Correctional Institution  
P.O. Box 26040  
Beaumont, TX 77720

This 5<sup>th</sup> day of August, 2005.

RISER ADKISSON LLP

A handwritten signature in blue ink, appearing to read 'Chris Riser', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long horizontal stroke at the end.

BY: \_\_\_\_\_

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