

Luis Sancho
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pro se

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII**

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LUIS SANCHO, et al.,)	Civil No. CV08-00136-HG-KSC
)	
Plaintiffs,)	DECLARATION OF WALTER L.
)	WAGNER IN SUPPORT OF
vs.)	ENTRY OF DEFAULT AGAINST
)	DEFENDANT CERN [CENTER
US DEPARTMENT OF ENERGY,)	FOR NUCLEAR ENERGY
et al.,)	RESEARCH]
)	
Defendants.)	Hon. Helen Gillmor
_____)	

**DECLARATION OF WALTER L. WAGNER
IN SUPPORT OF ENTRY OF DEFAULT AGAINST DEFENDANT
CERN [CENTER FOR NUCLEAR ENERGY RESEARCH]**

I, WALTER L. WAGNER, hereby declare and state, under penalty of perjury of the laws of the State of Hawaii, as follows:

1. I am one of the plaintiffs in this cause and have personal knowledge of the facts set forth in this sworn Declaration.

2. That I filed herein in this cause the Complaint against the Defendants herein.

3. That a copy of the Complaint and its accompanying Summons was served on Defendant CERN [Center for Nuclear Energy Research] on May 28, 2008, as is more fully set forth in the Certificate of Service signed by Walter L. Wagner on June 27, 2008 and Marco Breitenmoser on June 4, 2008 and filed herein on June 30, 2008.

4. That said Defendant has failed to answer or otherwise plead as to the Complaint, or to serve copies of any answers or other defenses which they may have upon myself or upon Plaintiff Dr. Luis Sancho, and the time for said Defendant to answer or otherwise plead has not been extended.

5. That this Declaration is executed in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, for the purpose of enabling me to obtain an Entry of Default against Defendant CERN [Center for Nuclear Energy Research] for failure to answer or otherwise defend.

I, WALTER L. WAGNER, do declare under penalty of perjury that the foregoing is true and correct.

DATED: Hilo, Hawaii, June 28, 2008

WALTER L. WAGNER (DR.)