

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

MENZIES MIDDLE EAST AND
AFRICA SA,

Petitioner,

v.

REPUBLIC OF NIGER

Respondent.

Case No. 1:24-cv-00466

To: The Clerk of the Court

REQUEST FOR ENTRY OF DEFAULT

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Petitioner MENZIES MIDDLE EAST AND AFRICA SA (“**Petitioner**”) by and through its undersigned attorneys, requests that the Clerk enter a default against Respondent Republic of Niger (“**Respondent**”).

On February 19, 2024, Petitioner timely filed this action seeking confirmation and entry of judgment on a foreign arbitral award under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958 (the “New York Convention”) and Foreign Sovereign Immunities Act. On April 30, 2024, Respondent was served in accordance with 28 U.S.C. §1608(a)(3). *See* ECF Nos. 8-8.1. Pursuant to 28 U.S.C. § 1608(d), Respondent Republic of Niger had sixty days after service (until June 29, 2024) to file an answer or other responsive pleading. The time has passed and Respondent has failed to defend or otherwise plead. *See* Affidavit of M. Zachary Bluestone attached herewith.

Rule 55(a) of the Federal Rules of Civil Procedure provides that, “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.” Fed. R. Civ. P. 55. The attached Affidavit of M. Zachary Bluestone establishes that Respondent has been properly served but has failed to plead or otherwise defend within sixty days of service as provided in 28 U.S.C. § 1608(d). *See* Bluestone Affidavit.

WHEREFORE, Petitioner respectfully requests that the Clerk enter a default against Respondent under Federal Rule of Civil Procedure 55(a).

DATED: July 18, 2024

Respectfully submitted,

By: /s/ M. Zachary Bluestone
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