

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-2822-RPM

SANDY PHILLIPS, individually and as surviving parent
of Jessica Ghawi, decedent; LONNIE PHILLIPS,
individually and as surviving parent of Jessica Ghawi,
decedent,

Plaintiffs,

v.

LUCKYGUNNER, d/b/a/ BULKAMMO.COM,
THE SPORTSMAN'S GUIDE,
Brian Platt, d/b/a/ BTP ARMS,
Gold Strike E Commerce LLC d/b/a/
BULLETPROOFBODYARMORHQ.COM,
and JOHN DOES 1 through 10, unknown individuals,

Defendants.

**AFFIDAVIT OF PAUL W. RODNEY IN SUPPORT OF PLAINTIFFS' MOTION FOR
ENTRY OF DEFAULT AGAINST DEFENDANT GOLD STRIKE E COMMERCE LLC
D/B/A BULLETPROOFBODYARMORHQ.COM**

I, Paul. W. Rodney, declare under penalty of perjury, as follows:

1. I am an attorney for Plaintiffs in this action. I am duly licensed to practice law in
Colorado.

2. This affidavit is filed in support of Plaintiffs' Motion for Entry of Default Against
Defendant Gold Strike E Commerce LLC d/b/a BULLETPROOFBODYARMORHQ.COM
("Gold Strike").

3. On September 16, 2014, Plaintiffs filed an Amended Complaint against Gold Strike and the other Defendants in this Action. ECF No. 1-2; ECF No. 8.

4. On September 18, 2014, Gold Strike was served a true copy of the Summons and Amended Complaint. Affidavit of Process Server, ECF. No. 1-6 at 31 (also attached hereto as **Exhibit A**).

5. On October 16, 2014, Defendants removed this action from the District Court, Arapahoe County, Colorado to this Court. ECF No. 1. Gold Strike consented to the removal, demonstrating its awareness of the action. ECF No. 1, Ex. 4. The consent to removal was signed by Christopher E. Russell on behalf of Gold Strike. *Id.* Russell also was served with the Summons and Amended Complaint on behalf of Gold Strike. *See* Affidavit of Process Server at 1.

6. Under Federal Rules of Civil Procedure 12(a)(1) and 81(c), and based on the date of the service of the Summons and Complaint, Gold Strike was required to plead or otherwise defend this action on or before October 23, 2014.

7. Gold Strike has not answered the Amended Complaint and has not filed any other responsive pleading, and no counsel has entered an appearance on Gold Strike's behalf.

8. Under Fed. R. Civ. P. 55(a), because Gold Strike has failed to plead or otherwise defend this action in the time allowed by law, Gold Strike is in default.

Dated: February 20, 2015.

By: Paul W. Rodney
Paul W. Rodney

STATE OF COLORADO)
) SS
COUNTY OF DENVER)

Subscribed and sworn to me on February 20, 2015.

My commission expires: June 6, 2018

~~Tracey Davison~~
~~NOTARY PUBLIC~~

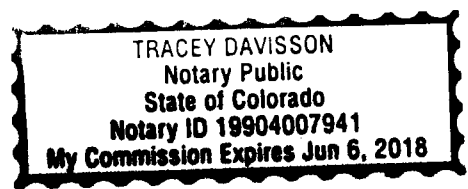


Exhibit A

Affidavit of Process Server

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO

SANDY PHILLIPS etc. et al. vs LUCKY GUNNER etc. et al. Case Number: 2014CV31946

I W. E. SWAIM, being first duly sworn, depose and say: that I am over the age of 18 years and not a part to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Party Served: GOLD STRIKE E COMMERCE LLC d/b/a BULLETPROOFBODYARMORHQ.COM, an Arizona Corporation
BY SERVING: CHRISTOPHER E. RUSSELL - AGENT FOR SERVICE

Documents Served: DISTRICT COURT CIVIL SUMMONS; AMENDED COMPLAINT; DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT

Served at Residence: 1546 WEST VINE AVENUE, MESA, AZ 85202

Date Served: 9/18/2014 Time of Service: 10:42 AM

Manner of Service:

PERSONAL SERVICE: By personally delivering copies to the person being served.

SUBSTITUTED SERVICE AT RESIDENCE: By personally delivering copies to the dwelling house or usual place of abode of the person (or authorized person on behalf of an entity) being served. Person receiving documents must be at least 18 years of age and should be informed of the general nature of the papers.

SUBSTITUTED SERVICE AT BUSINESS: By leaving, during normal business hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

POSTING: By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

Unknown at Address Moved, Left no Forwarding Service Cancelled by Litigant Unable to serve in a Timely Fashion
Address Does Not Exist Other:


SIGNATURE OF PROCESS SERVER

State of ~~California~~ Arizona

County of Maricopa

Subscribed and sworn to (or affirmed) before me on this 18th day of September, 2014 by

Justin William Liddy, proved to me on the basis of satisfactory evidence to be the person(s) before me.


Signature

(Notary Seal)

