IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

3M Company, *Plaintiff*, vs. Performance Supply, LLC, *Defendant*.	Case No. 1:20-cv-02949 (JLR)

AFFIDAVIT OF
JONATHAN W. THOMAS, ESQ. IN SUPPORT OF PLAINTIFF
3M COMPANY'S REQUEST FOR CLERK'S CERTIFICATE OF DEFAULT

I, Jonathan W. Thomas, Esq., pursuant to 28 U.S.C. § 1746 and upon penalty of perjury, declare as follows:

1. I am a resident of the State of New York; over the age of 18; and competent to make this Affidavit. I could and would testify as to the matters set forth herein, if called upon to do so.

2. I am a Partner in the New York office of the law firm of MAYER BROWN LLP.

3. I am counsel of record for Plaintiff 3M Company ("3M") in the above-captioned civil action (the "Action").

4. I make this Affidavit pursuant to Rule 55.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, and in support of 3M's request for a Clerk's Certificate of Default against Defendant Performance Supply, LLC ("Defendant").

5. 3M commenced this Action on April 10, 2020. *See* Dkt. 1.

6. 3M duly served Defendant with a copy of the Summons and Complaint by personally serving both documents on Mr. Ronald Romano, Defendant's principal, on April 14, 2020. *See* Dkt. 18.

7. Defendant's deadline to respond to the Complaint was May 5, 2020. *See* Dkt. 18.

8. To date, Defendant has neither appeared in this Action nor responded to the Complaint.

9. Defendant is not an infant, in the military, or an incompetent person; rather, Defendant is a limited liability company.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and that this Affidavit was executed this 29th day of November, 2022.

Jonathan W. Thomas