

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND  
CIVIL DIVISION**

EDUARDO TUSAMBA MOISES  
6700 Freetown Rd  
Columbia, MD 21044

PLAINTIFF

vs,

JOSE EDUARDO DOS SANTOS  
C/o Agostinho Tavares da Silva Neto  
Ambassador of the Republic of Angola  
Embassy of Republic of Angola  
2100-2108, 16th Street, NW,  
Washington, DC 20009  
Tel: 202.785.1156

DEFENDANT

Civil Action

No. WMN -15 3609

**REQUEST FOR CLERK'S ENTRY OF DEFAULT**

Comes now Plaintiffs, and hereby requests the Clerk to enter a default against the defendant JOSES EDUARDO DOS SANTOS, on the basis that the record in this case demonstrates that there has been a failure to plead or otherwise defend as provided by Rule 55 (a) of the Federal Rules of Civil Procedure.

1. Plaintiff filed a complaint on November 25, 2015; that the summons and complaint were duly served upon the Defendants, on February 10, 2016. Answer required by February 29, 2016. More than 21 days has elapsed. No answer or other pleading has been filed by said Defendants as required by law.

2. On April 13, 2016, Plaintiff filed a Motion for Clerk's Entry of Default for want of answer or other defenses. This Court denied the Motion on the ground that it has not sure if Marlene White who has signed U.S. Postal Service return receipt cards that accompanied summons and complaint sent to Defendants was authorized to accept service on behalf of Defendants or that proper service was made upon Defendants.
  
3. Circumstantial evidence proves that Defendants were effectively served. Results from Plaintiff's investigations on issue proves that there have never existed an individual in the name of Marlene White who works or has ever worked as part of the staff or accredited official at the Angolan Embassy in Washington, DC during the period in which service of process was effectuated. Based on the Angolan Embassy internal rules of functionality, it is clear that the return receipt cards were signed by an accredited or authorized staff member. Marlene White was a conspired or covered name which only intended to obstruct justice and thus used as part of Defendants' defense strategies. Defendant Jose Eduardo dos Santos has failed to answer to Plaintiff's complaint not because of service of process, but Defendants intentionally has resolved to use silence as part of his defense strategies. Defendants knew or knows that answering to Plaintiff's complaint would possibly put them at the spotlight of international media and create more damage than remaining silent.
  
4. On May 26, 2016, this Court has issued an injunction ordering Plaintiff to effectively serve Defendants for the second time with summons and complaint. The Court order on its conclusion, paragraph 5 states that: "*The U.S. Marshall IS DIRECTED to effectuate service on Defendants at the address provided by Plaintiff. If the U.S. Marshall uses U.S. Postal Service delivery to effect service on Defendants, it shall do so by **RESTRICTED DELIVERY, CERTIFIED MAIL.***"

5. On June 6, 2016 Plaintiff served Defendants with complaint and summons for the second time. On June 08, 2016, Summons issued 21 days as to Defendants by Deputy Clerk. The Court has DIRECTED U.S. Marshall to effectuate service on Defendants at address provided and affects service on Defendants by **RESTRICTED DELIVERY, CERTIFIED MAIL**. On June 20, 2016; Summons returned executed. Defendants were served. Answers due by July 7, 2016. Defendants were effectively served through care of one of the accredited Representative in the name of Agostinho Tavares da Silva Neto. Agostinho. Tavares da Silva Neto is Angolan Ambassador appointed by Defendant Jose Eduardo dos Santos and has given mandate of representation of Defendants' interests in the United States. He is officially authorized to receive service on behalf of Defendants.
6. More than 21 days has elapsed. That the summons and complaints were duly served upon the Defendants and still, no answer or other pleading has been filed by said Defendants as required by law.
7. There is relevant evidence that shows that Defendants were effectively served with the summons and complaints on February 10, 2016. A series of circumstantial evidence shows that Defendant Jose Eduardo dos Santos, Maria Candida Texeira and surrounding high rankings of its oligarchy have expressed or continue to express concerns and frustrations about Plaintiff's legal action against Defendant Dos Santos and Defendant Maria Candida Texeira. For example, there are evidences that prove that Defendant Dos Santos has reacted positively to some of Plaintiff's requests and prayers contained on Page 82, §25 (B) (g) and §25 (j) of the complaint filed on November 25, 2015 (or Page 72, §13(B)(g) and §13(B)(j) of the Second Amended Complaint served on June 08, 2016). Plaintiff served Defendants on February 03, 2016 for the first time. Summons returned executed on February 10, 2016. As a result of execution of summons and complaints served on February 10, 2016,

Defendant Jose Eduardo Dos Santos who is ruling Angola for more than 36 years has declared for the first time on February 28, 2016 that he is going to step down in 2017. It is clear that the reasons why Defendant has suggested to step down in 2017, because in the Complaint Plaintiff has threatened to bring criminal action against Defendant in case he would not comply with the dispositions stated on page 82, §25 (B)(g) that requesting for Defendant to not run again for another term. The evidence of Defendant's fears of criminal prosecution is established and explained in page 25 (A) of the Complaint filed on November 25, 2015. The disposition reads: "*Defendant's fears of being criminally prosecuted after being removed from the power..*". Defendant's fears of being criminally prosecuted for human rights abuses or crime against humanity is what forced Defendant to react positively to the dispositions of page 82, §25(B)(g) and 25(j). Defendant did react because he has acknowledge of the Court Summons and Plaintiff's Complaint. Having acknowledge of the grounds contained in the complaint certifies that Defendant was effectively served. Therefore, not providing answer to the Plaintiff's Complaint is confirmed to be part of Defendant's defense strategy.

8. Moreover, Defendant's fears of being subjected to criminal action for the same criminal offenses has forced Defendant reacts in less than 20 days after summons and complaint were served to Defendants on June 08, 2016. Evidence shows that Plaintiff has threaten Defendants on Complaint filed on November 25, 2016 [see Page 82, §25 (B) (j)] in case he would not release the 17 advocates who were arbitrary arrested on June 24, 2015, tortured, trialed unfairly, and sentenced to prison on February 2016 for the sake of defending the universal principles based on morality, liberty and justice as promoted by Plaintiff and the Institute Superior Rene Descartes of Angola. On June 08, 2016 Defendant was served. On June 20, 2016; Summons returned executed. On June 29, 2016, for the first time, Defendant Dos Santos has reacted to Court Summons and Plaintiff's Complaint. 16 of the 17 political prisoners who were unfairly sentenced to 8 years were suddenly freed. This event

confirms that Defendant was aware of the content of Plaintiff's Complaint. This confirms also that Defendant was effectively served. The case of 17 political advocates arbitrary arrested, tortured, jailed and unfairly trialed and sentenced to prisons is known worldwide. International community has made intervention including the United Nations Committee on Human Rights, International Amnesty, Human Rights Watch, European Union, and others institutions of similar profiles are making pressures and trying to hold Defendants accountable. Therefore, answering to Plaintiff's complaint at the moment where Defendant is facing pressures of international community would only create more damage to Defendant than being silent. Not answering to Plaintiff's Complaint is part of "defense strategies" intentionally elected by Defendants for the purpose of restricting consequences this action might cause at domestic and international levels.

9. Evidence proves in several circumstances that Defendants were effectively served. Among several events that clearly show that Defendants were served effectively are the fact that for the first time in more than 36 years of Defendant controlling the country, Defendant Jose Eduardo dos Santos has committed in a act of releasing political prisoners after Plaintiff has served Defendants. On June 08, 2016 Deputy Clerk issued summon accompanying Plaintiff's complaint for the second time. On June 20, 2016 Defendants were served for the second time. Evidence shows that Defendant Jose Eduardo dos Santos has reacted to Plaintiff's request and prayer incorporated in the page 82, §25 (B) (j) of Plaintiff's Complaint filed on November 25, 2015.
  
10. The following events prove that Defendants are aware of the case and effectively served on June 08, 2016: Page 20, §25(A) of the Second Amended Plaintiff's Complaint (or Page 17, §14(A) of the Complaint filed on November 25, 2015) reads: *"Defendants' fears of prospectively being prospectively prosecuted for crimes against humanity and human rights abuses after being removed from power is...."*. In Page 72 (Prayer for Relief, Title V), §13 Plaintiff warns Defendant Dos Santos

for Criminal Action with grounds similar to those of stated herein except if Defendant Dos Santos would comply with the dispositions contained in §13 (A) and (B) of the Prayer for Relief. §13 (B)(g) of the Complaint. The page 72, §13(B)(j) reads: "*Defendant Dos Santos to refrain himself from running another presidential term*", not doing so would subject Defendant Dos Santos face Criminal prosecutions with grounds similar to those stated herein. Because of Plaintiff's action in the US District Court of Maryland, Defendant has release the 17 prisoners arrested, tortured, unfairly trialed, unfairly sentenced for 8 years imprisons because of their alignment to the principles that were promoted by Plaintiff. On June 29, 2016, Defendant has resolved to free the 16 prisoners.

11. Comparing Defendant's behaviors following soon after each moment service was effectuated to Defendant Dos Santos, it is clearly established that there are interconnection of Defendant's reactions and the dates Defendants were serviced. For example: on February 10, 2016 Defendant executed the summons. Less than 20 days after served on February 20, 2016, and for the first in more than 36 years of ruling, Defendant has announced to step down in 2017, complying with the Plaintiff's prayer contained in page 72, §13 (B)(g) of the Second Amended Complaint (or Page 82, §25 (B)(g) of the Complaint filed on November 25, 2015). 2) Defendant Dos Santos has reacted to the service effectuated on June 08, 2016 in a way similar as to the first service effectuated on February 10, 2016. On June 08, 2016 the Clerk issued 21 days summons. On June 20, 2016 Summons returned executed. Less than 10 days, on June 29, 2016 Defendant has reacted has released 16 political prisoners arbitrary arrested, tortured, unfairly trialed and sentenced for 8 years of prisons; complying with Plaintiff's request and prayer as contained in page 72, §13 (B)(j) of the Second Amended Plaintiff's Complaint; or page 82, §25 (B)(j) of the Complaint filed on November 25, 2015. The demonstration from Defendant Dos Santos' behaviors soon after services were effectuated on February 10, 2016 and on June 08, 2016 presents similar reactive patterns. Defendants' reactions in both circumstances are not mere coincidences. Defendant's declaration of'

stepping down in 2017", less than 20 days after service of process was made on February 10, 2016 and Defendant's act of freeing the political prisoners unjustly arrested and tortured and unfairly trialed and sentenced for 8 years, less than 20 days after service of process was made on June 08, 2016 are the results of Defendants' fears of being subjected to a possible criminal action as it was pointed it out by Plaintiff on Page 20, §25 (A) of the Second Amended Complaint (or see Page 17, §14 (A) of the original Complaint) and as Plaintiff warned Defendant on Page 72, §13 (B)(g) and (B)(j) of Second Amended Complaint (or page 82 (B)(g) and (B)(j) of the Complaint filed on November 25, 2016). Therefore, if Defendant was not served effectively, he would not have made the declaration that announce publically that he is going "stepping down in 2017"; and he would not be seized by the fears that have forced him to free on June 29, 2016 the 16 political prisoners arrested because of their alignment to the defense of universal principles based on morality, liberty and justice they are promoted by Plaintiff. Moreover, there are additional evidence that prove that service was effectively effectuated on Defendants. There are additional circumstantial evidence that proves that Defendants were effectively served not incorporated in here.

12. All of the above stated circumstantial evidences prove that Defendants have knowledge of the Summons and the content of the Complaint and thus are aware of the pros and cons of not providing answer to the complaint filed by Plaintiff and the pros and cons of not providing answer to Plaintiff Complaint.
13. Plaintiff's claim related to direct loss of assets and investments is in the amount of 14,690.000 dollars. This amount reflects the loss of initial capital invested in tangible properties (\$1,400.000.00), loss for subsequent investment in fixed assets; loss in revenues from students tuition jailed 2 years [2,600 students x \$ 2,400.00 annual per student x 2 years (2011 and 2012) = \$12,480.000.00]; recovery debts (money barrowed for the purpose of maintaining business

continuity during the intense repressive periods of 2011 and 2012. Debts include late payrolls for 60 employees x 6 months (\$1,080.000.00). Additional economic loss includes loss in human capital investments (hiring and training); loss in reputation building and management; loss in research and development; loss in technology platforms investments; loss in scientific researches, and similarly related loss of tangible and intangible properties. Total dollar amount resulted from calculable economic loss as a consequence of Defendants' persecution and destruction of Plaintiff's Institute Superior Rene Descartes is evaluated at 14,960.000.00 dollars.

14. The amount stated in paragraph 13 excludes the amount of 18,720.000.00 dollars related to the economic loss in students tuitions for the academic years 2013, 2014, 2015.

15. The amount stated in §13 also excludes the amount of 2,670.000.00 dollars related to the uncollected debts from Institute Superior Rene Descartes of Angola (ISRDA)'s institutions which were using ISRDA's telecommunications platforms as a licensed internet provider. ISRDA owes this amount of 2,670.000.00 dollars to a high caliber United States "Satellite Bandwidths Provider" Company known under the name of INTELSAT. The amount stated in paragraph 13 also exclude the 912.000.00 dollars related to the business debts of which burden was transferred in the individual capacity of Plaintiff.

16. All of the amounts in §11 and §15 above give a total amount of 12,302.000.00 dollars. The addition of the amounts in §13, §14 and §15 above gives the total amount of **45,982.000.00** dollars. This is the total dollars amount claimed by Plaintiff.

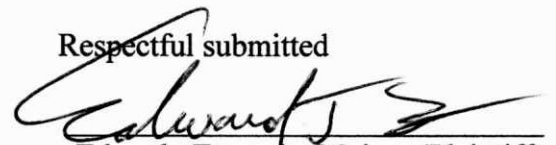
17. The case at bar involves human rights abuses, involves assault and infliction of great harms on Plaintiff. Defendants intentionally caused serious damages on Plaintiff. Defendants' acts and



omissions were willful, intentional, wanton, oppressive and were not intended to further for good cause, but were intended to inflict great harms on Plaintiff for the purpose of maintaining political and individual interests. As demonstrated above, part of Defendants evildoings were motivated by individual interests. Evidence shows that Defendants have engaged in evil conducts that have caused Plaintiff suffer serious economic loss and serious financial hardship. Because of Defendants evildoings, Plaintiff has reached in the stage where he could even not financially sustains his own family composed of 4 Americans children. Plaintiff is now in a position where he is not even able to pay his rents. He was evicted for two consecutive times. As of today, Plaintiff is homeless. He is now residing in the shelter operated by a non-profit organization "Grassroots". Grassroots is located in Howard County, Columbia, Maryland.

Therefore, if for any reason this Court would deny Plaintiff's request of Entry of Default, Plaintiff's injury would never get relieved.

Respectful submitted



Eduardo Tusamba Moises (Plaintiff)