

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF THE TRIAL COURT**

**HAMPDEN, SS.**

**HAMPDEN SUPERIOR COURT  
CIVIL ACTION: 1879CV344**

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**RIAN WATERS,  
Plaintiff,**

**v.**

**AIDAN KEARNEY, et al.**

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**DEFENDANTS' MOTION TO SET ASIDE DEFAULT**

The defendants move, in accordance with Mass. R. Civ. P. 55(c), that the court set aside the default entered against him on January 29, 2025 . As reasons therefore:

1. Defendant no longer lives at his prior address.
2. Defendant did not receive notice of the status conference, or any of Plaintiff's various filings.
3. As soon as Defendant did receive notice of the status of the case, and that he was in default, he promptly notified his counsel, who filed an appearance and requested time to file this motion.
4. Thus, good cause exists in which default should be removed.

WHEREFORE, Defendant requests that this Court ALLOW his motion to set aside default. A Memorandum and affidavit accompany this motion.

