

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CENTER FOR BIOLOGICAL DIVERSITY)
1212 Broadway, Suite 800)
Oakland, CA 94612,)
))
CENTER FOR ENVIRONMENTAL HEALTH)
2201 Broadway, Suite 302)
Oakland, CA 94612)
))
and)
))
SIERRA CLUB)
2101 Webster St., Suite 1300)
Oakland, CA 94612)
))
Plaintiffs,)
))
v.)
))
SCOTT PRUITT,)
in his official capacity as Administrator,)
U.S. Environmental Protection Agency,)
1200 Pennsylvania Avenue, N.W.)
Washington, DC 20460,)
))
Defendant.)

Civ. No. _____

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

I. INTRODUCTION

1. Plaintiffs THE CENTER FOR BIOLOGICAL DIVERSITY, THE CENTER FOR ENVIRONMENTAL HEALTH, and THE SIERRA CLUB bring this Clean Air Act citizen suit to compel Defendant, SCOTT PRUITT, in his official capacity as Administrator of the United States Environmental Protection Agency, (“EPA”), to undertake overdue Congressionally mandated duties. Specifically, the Administrator has failed to promulgate federal

implementation plans to ensure that Mississippi and Alabama address conflicts of interest for those who approve air pollution permits or enforce air pollution protective measures. Mississippi and Alabama are almost forty years late in having these conflict of interest avoidance and disclosure requirements in place.

2. Accordingly, Plaintiffs the Center for Biological Diversity, the Center for Environmental Health, and the Sierra Club bring this action against Defendant Scott Pruitt, in his official capacity as EPA Administrator, to compel him to perform these mandatory duties.

II. JURISDICTION

3. This case is a Clean Air Act citizen suit. Therefore, the Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 42 U.S.C. § 7604(a) (citizen suits for failure to perform a non-discretionary duty required by the Clean Air Act).

4. An actual controversy exists between the parties. This case does not concern federal taxes, is not a proceeding under 11 U.S.C. §§ 505 or 1146, and does not involve the Tariff Act of 1930. Thus, this Court has authority to order the declaratory relief requested under 28 U.S.C. § 2201. If the Court orders declaratory relief, 28 U.S.C. § 2202 authorizes this Court to issue injunctive relief.

III. NOTICE

5. On June 21, 2017, Plaintiffs mailed to Defendant by certified mail, return receipt requested, written notice of intent to sue regarding the violations alleged in this Complaint. More than sixty days have passed since EPA received this “notice of intent to sue” letter. EPA has not remedied the violations alleged in this Complaint. Nor has EPA responded to the Plaintiffs’ notice of intent to sue in any manner. Therefore, a present and actual controversy

exists.

IV. VENUE

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(e)(1). A substantial part of the events or omissions giving rise to Plaintiffs' claims occurred in the District of Columbia. Defendant Administrator Pruitt is an officer of the United States, sued for acts and omissions in his official capacity as Administrator of the EPA, and EPA has its principal office in the District of Columbia.

V. PARTIES

7. Plaintiff the CENTER FOR BIOLOGICAL DIVERSITY is a non-profit 501(c)(3) organization. The Center for Biological Diversity has approximately 61,000 members throughout the United States and the world, including 86 members in Mississippi and 219 members in Alabama. The Center for Biological Diversity's mission is to ensure the preservation, protection, and restoration of biodiversity, native species, ecosystems, public lands and waters, and public health through science, policy, and environmental law. Based on the understanding that the health and vigor of human societies and the integrity and wildness of the natural environment are closely linked, the Center for Biological Diversity is working to secure a future for animals and plants hovering on the brink of extinction, for the ecosystems they need to survive, and for a healthy, livable future for all of us.

8. Plaintiff the CENTER FOR ENVIRONMENTAL HEALTH is a nonprofit organization that works to protect human health and the environment, helps protect the public from toxic chemicals, and promotes business products and practices that are safe for public health and the environment. The Center for Environmental Health works in pursuit of a world in which all people live, work, learn, and play in healthy environments.

9. Plaintiff SIERRA CLUB is the oldest and largest grassroots environmental organization in the United States, with 842,270 members nationally, including 1,625 members in Mississippi and 4,063 members in Alabama. Sierra Club's mission is to explore, enjoy, and protect the wild places of the Earth; to practice and promote the responsible use of the Earth's resources and ecosystems; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. Sierra Club performs this mission through advocacy, litigation, and educational outreach to its members and state chapters. Sierra Club and its members are greatly concerned about the effects of air pollution on human health and the environment and have a long history of involvement in activities related to air quality.

10. Plaintiffs' members live, work, recreate, travel and engage in other activities throughout the areas at issue in this complaint and will continue to do so on a regular basis. Pollution in the affected areas threatens and damages, and will continue to threaten and damage, the health and welfare of Plaintiffs' members as well as their ability to engage in and enjoy their other activities. Pollution diminishes Plaintiffs' members' ability to enjoy the aesthetic qualities and recreational opportunities and to work and engage in other activities of the affected areas.

11. EPA's failure to timely perform the mandatory duties described herein also adversely affects Plaintiffs, as well as their members, by depriving them of procedural protection and opportunities, as well as information that they are entitled to under the Clean Air Act. The failure of EPA to perform the mandatory duties also creates uncertainty for Plaintiffs' members as to whether they are exposed to excess air pollution.

12. The above injuries will continue until the Court grants the relief requested herein.

13. Defendant SCOTT PRUITT is the Administrator of the EPA. In that role

Administrator Pruitt has been charged by Congress with the duty to administer the Clean Air Act, including the mandatory duties at issue in this case.

VI. LEGAL BACKGROUND

14. Congress enacted the Clean Air Act to “speed up, expand, and intensify the war against air pollution in the United States with a view to assuring that the air we breathe throughout the Nation is wholesome once again.” H.R. Rep. No. 1146, 91st Cong., 2d Sess. 1,1, 1970 U.S. Code Cong. & Admin. News 5356, 5356.

15. To promote wholesome air, the Act requires that state plans to implement the Clean Air Act contain a provision that “any board or body which approves permits or enforcement orders under this chapter shall have at least a majority of members who represent the public interest and do not derive any significant portion of their income from persons subject to the permits or enforcement orders” under the Clean Air Act. 42 U.S.C. § 7428(a)(1). The Clean Air Act also requires that “any potential conflicts of interest by members of such board or body or the head of an executive agency with similar powers be adequately disclosed.” 42 U.S.C. § 7428(a)(2).

16. The Clean Air Act required states to have these 42 U.S.C. § 7428(a) provisions in their state implementation plans by August 7, 1978.

17. Section 110(a)(2)(E)(ii) of the Clean Air Act also requires that state plans to implement the Clean Air Act for each new or revised national ambient air quality standard (“NAAQS”) ensure that the state plan contain the provisions of 42 U.S.C. § 7428. *See* 42 U.S.C. § 7410(a)(2)(E)(ii).

18. If EPA disapproves a state implementation plan submittal, such as for failure to set forth provisions to comply with the requirements of 42 U.S.C. § 7428(a) for state boards,

EPA must promulgate a federal implementation plan (“FIP”) to take the place of the disapproved submittal “at any time within 2 years” of the disapproval. 42 U.S.C. § 7410(c)(1)(B).

VII. FACTS

19. On March 2, 2015, EPA took final action to disapprove Clean Air Act section 110(a)(2)(E)(ii) of Mississippi’s state implementation plan submittal pertaining to the Clean Air Act infrastructure requirements for the 2008 8-hour ozone NAAQS because it failed to meet the requirements of Clean Air Act section 128(a)(1). 80 Fed. Reg. 11,131, 11,132 (March 2, 2015). Specifically, EPA determined that the state plan failed to include a provision which required that at least a majority of members of any state board or body which issues air pollution permits or enforces air pollution restrictions do not derive any significant portion of their income from companies or people subject to the air pollution permits or enforcement orders. *See id.*

20. EPA’s disapproval of Mississippi’s state plan for failing to comply with 42 U.S.C. § 7410(a)(2)(E)(ii) and 42 U.S.C. § 7428(a)(1) was effective April 1, 2015. *See id.*

21. On April 2, 2015, EPA took final action to disapprove Clean Air Act section 110(a)(2)(E)(ii) of Alabama’s state implementation plan submittal pertaining to the Clean Air Act infrastructure requirements for the 2008 8-hour ozone NAAQS because it failed to meet the requirements of Clean Air Act section 128(a)(1) & (2). 80 Fed. Reg. 17,689, 17,690 (April 2, 2015). Specifically, EPA determined that the state plan failed to include a provision which required that least a majority of members of any state board or body which issues air pollution permits or enforces air pollution restrictions do not derive any significant portion of their income from companies or people subject to the air pollution permits or enforcement orders and required that potential conflicts of interest of state boards and heads of executive agencies be adequately disclosed. *See id.*

22. EPA's disapproval of Alabama's state plan for failing to comply with 42 U.S.C. § 7410(a)(2)(E)(ii) and 42 U.S.C. § 7428(a)(1) and (2) was effective May 4, 2015. *Id.*

VIII. CLAIMS FOR RELIEF

CLAIM ONE

(Failure to Promulgate Mississippi FIP)

23. Plaintiffs incorporate by reference paragraphs 1 through 22.

24. EPA disapproved the 42 U.S.C. § 7410(a)(2)(E)(ii) element of the Mississippi state implementation plan with regard to the 2008 ozone NAAQS because it does not require that a majority of members of boards that approve permits or enforcement orders in Mississippi do not derive a significant portion of income from persons subject to permits or enforcement orders issued by such Mississippi boards, and therefore, its current SIP does not meet the section 128(a)(1) majority requirements respecting significant portion of income.

25. This disapproval was effective April 1, 2015.

26. More than two years has passed since April 1, 2015

27. However, EPA has not promulgated a federal implementation plan to address the disapproved 42 U.S.C. § 7410(a)(2)(E)(ii) element of the Mississippi state implementation plan with regard to the 2008 ozone NAAQS.

28. Nor has EPA approved a state implementation plan or plan revision to address the disapproved 42 U.S.C. § 7410(a)(2)(E)(ii) element of the Mississippi state implementation plan with regard to the 2008 ozone NAAQS.

29. Therefore, EPA is in violation of its mandatory duty to promulgate a federal implementation plan, pursuant to 42 U.S.C. §7410(c)(1), requiring that the majority of members of boards that approve permits or enforcement orders in Mississippi do not derive a significant portion of income from persons subject to permits or enforcement orders issued by such

Mississippi boards.

CLAIM TWO

(Failure to Promulgate Alabama FIP)

30. Plaintiffs incorporate by reference paragraphs 1 through 22.

31. EPA disapproved the 42 U.S.C. § 7410(a)(2)(E)(ii) element of the Alabama state implementation plan with regard to the 2008 ozone NAAQS because the Alabama state implementation plan did not contain provisions to comply with the requirements of section 128(a)(1) and (2) of the Clean Air Act.

32. This disapproval was effective May 4, 2015.

33. More than two years has passed since May 4, 2015

34. However, EPA has not promulgated a federal implementation plan to address the disapproved 42 U.S.C. § 7410(a)(2)(E)(ii) element of the Alabama state implementation plan with regard to the 2008 ozone NAAQS.

35. Nor has EPA approved a state implementation plan or plan revision to address the disapproved 42 U.S.C. § 7410(a)(2)(E)(ii) element of the Alabama state implementation plan with regard to the 2008 ozone NAAQS.

36. Therefore, EPA is in violation of its mandatory duty to promulgate a federal implementation plan, pursuant to 42 U.S.C. §7410(c)(1), requiring that the majority of members of boards that approve permits or enforcement orders in Alabama do not derive a significant portion of income from persons subject to permits or enforcement orders issued by such Alabama boards and requiring that any potential conflicts of interest by members of such boards or the head of an executive agency with similar powers be adequately disclosed.

IX. REQUEST FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

- A. Declare that the Administrator is in violation of the Clean Air Act with regard to his failure to perform the mandatory duties listed above;
- B. Issue a mandatory injunction requiring the Administrator to perform his mandatory duties listed above by certain dates;
- C. Retain jurisdiction of this matter for purposes of enforcing the Court's order;
- D. Grant Plaintiffs their reasonable costs of litigation, including attorneys' and experts' fees; and;
- E. Grant such further relief as the Court deems just and proper.

Respectfully submitted,

Dated: September 28, 2017

/s/ Kathryn Amirpashaie

Kathryn M. Amirpashaie
DC Bar Id. No. 1001491
Law Office of Kathryn M. Amirpashaie, PLC
406 Blue Ridge Avenue NE
Leesburg, VA 20176
Tel: (703) 771-8394
kmalawoffice@gmail.com

Robert Ukeiley
DDC Bar No. MD 14062
Center for Biological Diversity
1536 Wynkoop St., Ste. 421
Denver, CO 80202
Tel: (720) 496-8568
rukeiley@biologicaldiversity.org

Counsel for Plaintiffs

<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multi-district Litigation
 7 Appeal to District Judge from Mag. Judge
 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 Failure to perform a nondiscretionary duty under 42 U.S.C. 7604(a)(2) [issue a CAA Federal Implementaton Plan]

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 <input type="checkbox"/>	DEMAND \$ _____	JURY DEMAND: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If yes, please complete related case form

DATE: 9/28/2017 SIGNATURE OF ATTORNEY OF RECORD: K. Quiri

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI. CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia



CENTER FOR BIOLOGICAL DIVERSITY,)
CENTER FOR ENVIRONMENTAL HEALTH,)
and)
SIERRA CLUB)

Plaintiff(s)

v.

Civil Action No.

SCOTT PRUITT, in his official capacity as)
Administrator of the United States Environmental)
Protection Agency)

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Scott Pruitt, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kathryn M. Amirpashaie
Law Office of Kathryn M. Amirpashaie, PLC
406 Blue Ridge Ave. NE
Leesburg, VA 20176

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia



CENTER FOR BIOLOGICAL DIVERSITY,)
CENTER FOR ENVIRONMENTAL HEALTH,)
and)
SIERRA CLUB)

Plaintiff(s)

v.

Civil Action No.

SCOTT PRUITT, in his official capacity as)
Administrator of the United States Environmental)
Protection Agency)

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Jessie K. Liu
U.S. Attorney for the District of Columbia
c/o Civil Process Clerk
U.S. Attorney's Office
555 4th Street NW
Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kathryn M. Amirpashaie
Law Office of Kathryn M. Amirpashaie, PLC
406 Blue Ridge Ave. NE
Leesburg, VA 20176

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia



CENTER FOR BIOLOGICAL DIVERSITY,)
CENTER FOR ENVIRONMENTAL HEALTH,)
and)
SIERRA CLUB)

Plaintiff(s)

v.

Civil Action No.

SCOTT PRUITT, in his official capacity as)
Administrator of the United States Environmental)
Protection Agency)

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Jeff Sessions
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kathryn M. Amirpashaie
Law Office of Kathryn M. Amirpashaie, PLC
406 Blue Ridge Ave. NE
Leesburg, VA 20176

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

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was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: