

COPY

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

VETERANS FOR COMMON SENSE, a District of Columbia Nonprofit Organization; and VETERANS UNITED FOR TRUTH, INC., a California Nonprofit Organization, representing their members and a class of all veterans similarly situated,

Plaintiffs,

v.

R. JAMES NICHOLSON, Secretary of Department of Veterans Affairs; UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; JAMES P. TERRY, Chairman, Board of Veterans Appeals; DANIEL L. COOPER, Under Secretary, Veterans Benefits Administration; BRADLEY G. MAYES, Director, Compensation and Pension Service; DR. MICHAEL J. KUSSMAN, Under Secretary, Veterans Health Administration; PRITZ K. NAVARA, Veterans Service Center Manager, Oakland Regional Office, Department of Veterans Affairs; UNITED STATES OF AMERICA; ALBERTO GONZALES, Attorney General of the United States; and WILLIAM P. GREENE, JR., Chief Judge of the United States Court of Appeals for Veterans Claims,

Defendants.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

SC

C 07 3758

TO: (Name and address of defendant)

United States Department of Veterans Affairs
c/o Paul J. Hutter, Acting General Counsel
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

GORDON P. ERSPAMER
STACEY M. SPENKEL
MORRISON & FOERSTER LLP
101 Ygnacio Valley Road, Suite 450, P.O. Box 8130
Walnut Creek, California 94596-8130

SIDNEY M. WOLINSKY
MELISSA W. KASNITZ
JENNIFER WEISER BEZOZA
KATRINA KASEY CORBIT
DISABILITY RIGHTS ADVOCATES
2001 Center Street, Third Floor
Berkeley, California 94704-1204

an answer to the complaint which is herewith served upon you, within **60** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JUL 23 2007

Richard W. Wieking

CLERK

DATE _____

ANNA SPRINKLES

(BY) DEPUTY CLERK

STACEY M. SPRENKEL (SBN 241689)
 MORRISON & FOERSTER LLP
 101 Ygnacio Valley Road #450
 Walnut Creek, CA 94596
 Telephone: (925) 295-3300
 Attorney for: Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Plaintiff : VETERANS FOR COMMON SENSE etc., et al.
 Defendant : R. JAMES NICHOLSON etc., et al.

Ref#: 218878 * **PROOF OF SERVICE** * Case No.: C 07 3758 SC

At the time of service I was at least eighteen years of age and not a party to this action and I served copies of the:

SUMMONS IN A CIVIL CASE; COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF UNDER UNITED STATES CONSTITUTION AND REHABILITATION ACT; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS PURSUANT TO CIVIL LOCAL RULE 3-16; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA RE CONTENTS OF JOINT CASE MANAGEMENT STATEMENT; JUDGE SAMUEL CONTI'S STANDING ORDER RE CASE MANAGEMENT CONFERENCE PROCEDURES AND NOTICE TO ALL ATTORNEYS: ORDER RE TIMELY FILING OF PLEADINGS, BRIEFS, MOTIONS, ETC.; ECF REGISTRATION INFORMATION HANDOUT; CLERK'S WELCOME NOTICE AND GUIDELINES RE FILING PROCESS; ADMINSTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED

in the within action by personally delivering true copies thereof to the person named below, as follows:

Party served : UNITED STATES DEPARTMENT OF VETERANS AFFAIRS C/O
 PAUL J. HUTTER, ACTING GENERAL COUNSEL

By serving : Theriska Jeter, Authorized Agent

Address : (Business)
 810 Vermont Avenue, NW
 Washington, DC 20420

Date of Service: July 27, 2007

Time of Service: 12:45 PM

Person who served papers:
 CYNTHIA SABLE
 SPECIALIZED LEGAL SERVICES, INC.
 1112 Bryant Street, Suite 200
 San Francisco, CA 94103
 Telephone: (415) 357-0500

Fee for service: \$50.00
 Registered California process server.
 (i) Employee or Independent Contractor
 (ii) Registration no.:
 (iii) County:

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: July 30, 2007

Signature

Cynthia Sable