

ORIGINAL

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF CALIFORNIA

E-filing

Michael D. Almy, Anthony J. Loverde, and Jason D. Knight

Plaintiff

v.

U.S. Dept. of Defense, Robert M. Gates, Dept. of the Air Force, Michael B. Donley, Dept. of the Navy, and Ray Mabus

Defendant

ev10

5627

Civil Action No.

JCS

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

SEE ATTACHMENT

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:

M. Andrew Woodmanssee
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
Telephone: (858) 720-5100

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

HELEN ALMACEN

Signature of Clerk or Deputy Clerk

DEC 13 2010

Date:

MICHAEL D. ALMY, ANTHONY J.  
LOVERDE, and JASON D. KNIGHT,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE; ROBERT M. GATES, Secretary of  
Defense; DEPARTMENT OF THE AIR FORCE;  
MICHAEL B. DONLEY, Secretary, Department  
of the Air Force; DEPARTMENT OF THE  
NAVY; and RAY MABUS, Secretary,  
Department of the Navy,

Defendants.

Case No.

**ATTACHMENT TO SUMMONS**

**Defendants:**

United States Department of Defense  
c/o Honorable Jeh Johnson,  
General Counsel of the Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301-1000

United States Department of the Air Force  
c/o Major General Nolan Skulte  
Chief, General Litigation Division  
1660 Air Force Pentagon  
Washington, D.C. 20330-1660

United States Department of the Navy  
c/o Honorable Paul L. Oostburg Sanz  
Office of the General Counsel  
1000 Navy Pentagon  
Washington, DC 20350-1000

Dr. Robert M. Gates  
Secretary of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301-1000

Honorable Michael B. Donley  
Secretary of the Air Force  
1660 Air Force Pentagon  
Washington, D.C. 20330-1660

Ray Mabus, Secretary,  
Office of the Secretary of the Navy  
2000 Navy Pentagon  
Washington, D.C. 20350-2000