

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

UNITED STATES DISTRICT COURT

for the

Northern District of California

PUBLIC.RESOURCE.ORG., a California non-profit organization
Plaintiff
v.
UNITED STATES INTERNAL REVENUE SERVICE
Defendant

Cv 13 2789 Civil Action No

SUMMONS IN A CIVIL ACTION

NC

To: (Defendant's name and address)
Commissioner of Internal Revenue
Attention: CC:PA
1111 Constitution Avenue, N.W.
Washington, D.C. 20224

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:

Thomas R. Burke (State Bar No. 141930)
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800, San Francisco, California 94111
Telephone: (415) 276-6500 Facsimile: (415) 276-6599 Email: thomasburke@dwt.com

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: JUN 18 2013

HELEN ALMACEN
Signature of Clerk or Deputy Clerk

1 **Proof of Service**

2 I, Natasha Majorco, declare under penalty of perjury under the laws of the United States of  
3 America that the following is true and correct:

4 I am employed in the City and County of San Francisco, State of California, in the office of  
5 a member of the bar of this court, at whose direction the service was made. I am over the age of  
6 eighteen (18) years, and not a party to or interested in the within-entitled action. I am an employee  
7 of DAVIS WRIGHT TREMAINE LLP, and my business address is 505 Montgomery Street, Suite  
8 800, San Francisco, California 94111-6533.

9 I caused to be served the following documents:

- 10 1. **Civil Cover Sheet**
- 11 2. **Summons**
- 12 3. **Plaintiff Public.Resource.Org’s Complaint for Declaratory and Injunctive Relief for violations of the**  
13 **Administrative Procedure and Freedom of Information Acts;**
- 14 4. **United States District Court Northern District of California ECF Registration Information Handout**
- 15 5. **Order Setting Initial Case Management Conference and ADR Deadlines**
- 16 6. **Welcome to the U.S. District Court**
- 17 7. **Notice of Assignment of Case to a United States Magistrate Judge for Trial with [Blank] Consent or**  
18 **Declination to Proceed Before a U.S. Magistrate Judge**
- 19 8. **Civil Standing Order for Magistrate Judge Nathanael M. Cousins**
- 20 9. **Standing Order for All Judges of the Northern District of California; Contents of Joint Case**  
21 **Management Statement**

22 I caused the above documents to be served on each person on the attached list by the  
23 following means:

- 24  I enclosed a true and correct copy of said document in an envelope and  
25 placed it for collection and mailing **via Certified Mail/Return Receipt**  
26 **Requested** with the United States Post Office on **June 20, 2013**, following  
27 the ordinary business practice.  
(Indicated on the attached address list by an [CM] next to the address.)
- 28  I enclosed a true and correct copy of said document in an envelope, and  
placed it for collection and mailing via Federal Express on \_\_\_\_\_, for  
guaranteed delivery on \_\_\_\_\_, following the ordinary business practice.  
(Indicated on the attached address list by an [FD] next to the address.)
- I consigned a true and correct copy of said document for facsimile  
transmission on \_\_\_\_\_.  
(Indicated on the attached address list by an [F] next to the address.)
- I enclosed a true and correct copy of said document in an envelope, and  
consigned it for hand delivery on \_\_\_\_\_.  
(Indicated on the attached address list by an [H] next to the address.)
- A true and correct copy of said document was emailed on \_\_\_\_\_.  
(Indicated on the attached address list by an [E] next to the address.)

I am readily familiar with my firm’s practice for collection and processing of  
correspondence for delivery in the manner indicated above, to wit, that correspondence will be

DAVIS WRIGHT TREMAINE LLP

1 deposited for collection in the above-described manner this same day in the ordinary course of  
business.

2 Executed on **June 20, 2013**, at San Francisco, California.

3 /s/ Natasha Majorko

4 Natasha Majorko

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11 DAVIS WRIGHT TREMAINE LLP  
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## Service List

Key:	<b>[M]</b> Delivery by Mail	[FD]	Delivery by Federal Express	[H]	Delivery by Hand
	[F] Delivery by Facsimile	[FM]	Delivery by Facsimile and Mail		
	<b>[E]</b> Delivery by Electronic Mail	[CM]	Delivery by Certified Mail, Return Receipt Requested		

[CM] Commissioner of Internal Revenue  
 Attention: CC:PA  
 1111 Constitution Avenue, N.W.  
 Washington, D.C. 20224

[CM] Eric Holder  
 Office of the Attorney General  
 U.S. Department of Justice  
 950 Pennsylvania Avenue, NW  
 Washington, DC 20530-0001

[CM] Melinda Haag  
 United States Attorney  
 Attn: Civil Process Clerk/Paralegal  
 450 Golden Gate Avenue, 9<sup>th</sup> Floor  
 San Francisco, CA 94102

7012 3460 0000 2244 8203

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Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 12.16	

Sent To: *Eric Holder Office of Attorney General*  
 Street, Apt. No., or PO Box No.: *US Dept of Justice 950 Pennsylvania*  
 City, State, ZIP+4: *Washington DC 20530-0001*

PS Form 3800, August 2006 See Reverse for Instructions

7012 3460 0000 2244 8180

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**OFFICIAL USE**

Postage	\$ 6.51	
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 12.16	

Sent To: *Commissioner of Internal Revenue*  
 Street, Apt. No., or PO Box No.: *1111 Constitution Av. NW*  
 City, State, ZIP+4: *Washington DC 20224*

PS Form 3800, August 2006 See Reverse for Instructions

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**OFFICIAL USE**

Postage	\$ 5.05	
Certified Fee	3.60	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 10.70	

Sent To: *Melinda Heas US Attorney*  
 Street, Apt. No., or PO Box No.: *450 Golden Gate Av 9th Floor*  
 City, State, ZIP+4: *SAN FRANCISCO CA 94102*

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Melinda Haag US Attorney Attn: Civil Process Clerk 450 Golden Gate Av. 9th Floor SAN FRANCISCO CA 94102	B. Received by (Printed Name) <i>Melinda Haag</i>	C. Date of Delivery 6-21
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
7012 3460 0000 2244 8197		Domestic Return Receipt
PS Form 3811, February 2004		102595-02-M-1540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Eric Holder Office of Attorney General U.S. Dept. of Justice 950 Pennsylvania Av. NW Washington DC 20530-0001	B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004	JUN 24 2013	
7012 3460 0000 2244 8203	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, February 2004		Domestic Return Receipt
PS Form 3811, February 2004		102595-02-M-1540