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2 District of Nevada

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6 *Attorneys for the United States.*  
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10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 JUANITTA DARLYNN,  
13 Plaintiff,

14 v.

15 CHRISTOPHER MARK SHERMAN,  
individually; DEPARTMENT OF THE AIR  
16 FORCE, a Division of the UNITED STATES  
of AMERICA; DOES I through XX, ROE  
17 CORPORATION I through X; ROE  
EMPLOYEES I through X inclusive,  
18 Defendants.

)  
) Case No. 2:17-cv-02800-JAD-VCF  
)  
)

19 )  
) **NOTICE OF SUBSTITUTION**  
)  
)

20 The United States of America hereby notifies Plaintiff and this Court that Dayle Elieson,  
21 United States Attorney for the District of Nevada, an authorized representative of the Attorney  
22 General of the United States of America, has certified that Federal Defendant Christopher Mark  
23 Sherman was acting within the course and scope of his duties with the United States Air Force  
24 at all times relevant to the events alleged in Plaintiff’s Complaint. (Exhibit 1, Certification of  
25 Scope of Employment of Christopher Mark Sherman.)

26 Thus, this action “shall be deemed to be an action or proceeding brought against the  
27 United States . . . , and the United States shall be substituted as the party defendant” in place of  
28 Christopher Mark Sherman. 28 U.S.C. § 2679(d)(2) and 28 U.S.C. § 2671.



# EXHIBIT 1

Certification of Scope of Employment

1 DAYLE ELIESON  
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2 District of Nevada

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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 JUANITTA DARLYNN,  
11 Plaintiff,

12 v.

13 CHRISTOPHER MARK SHERMAN, *et al.*  
14 Defendants.

)  
) Case No. 2:17-cv-02800-JAD-VCF  
)  
)


) **CERTIFICATION OF SCOPE OF**  
) **EMPLOYMENT**  
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16 Pursuant to 28 U.S.C. § 2679(d)(2), and by virtue of the authority vested in me by the  
17 Attorney General of the United States of America under 28 CFR § 15.4, I hereby certify:

18 1. I have read the Complaint filed on November 7, 2018, in the case entitled  
19 *Juanitta Darlynn v. Christopher Mark Sherman, individually; et al.*, Case No. 2:17-cv-02800-  
20 JAD-VCF, and have reviewed materials pertaining to the employment status of Christopher  
21 Mark Sherman, an employee of the United States Air Force.

22 2. Based on the information currently available to me with respect to the incident  
23 that is the subject of this action, Christopher Mark Sherman was acting within the course and  
24 scope of his employment as an employee of the United States Air Force, at the time of the  
25 incidents out of which the suit arose.

26 Dated this 22 day of January 2018.

27   
28 DAYLE ELIESON  
United States Attorney

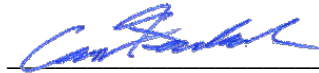
# EXHIBIT 2

Proposed Order



1           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the United States  
2 of America has been substituted as a Federal Defendant in this case;

3           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the caption of this  
4 action is and shall hereafter be modified as shown above to reflect the substitution of the United  
5 States of America in place of Federal Defendant Christopher Mark Sherman.

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9 UNITED STATES MAGISTRATE JUDGE

10 DATED: 2-13-2018  
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