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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	NO.
Plaintiff,	)	
v.	)	COMPLAINT
MARK D. NELLERMOE, DPM,	)	
Defendant.	)	

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The United States of America, by and through Jenny A. Durkan, United States Attorney for the Western District of Washington, and Anastasia D. Bartlett, Assistant United States Attorney, for its Complaint against the Defendant alleges:

I

Jurisdiction is conferred upon this Court pursuant to Title 28, United States Code, Section 1345.

II

The Defendant resides within the Western District of Washington.

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1 III

2 The Defendant applied for and was granted Health Education Assistance Loans (HEAL) insured by  
3 the Department of Health & Human Services, as authorized under 42 U.S.C. § 292 *et seq.* Said loans are  
4 more particularly set out in the Certificate of Indebtedness, attached hereto as Exhibit 1. Copies of the  
5 HEAL applications and promissory notes signed by Defendant are attached hereto as Exhibits 2 and 3.

6 IV

7 Although demand has been made for payment, there remains due and owing under the Health  
8 Education Assistance Loans the principal sum of \$79,034.50; administrative/collection costs of \$.00; plus  
9 \$874.90 interest, as of March 17, 2011; and interest continues to accrue on the principal sum of \$79,034.50  
10 at the current rate of 3.25% (\$7.02 per day). Interest is computed at a variable rate, is adjusted quarterly,  
11 and is compounded semi-annually. *See* Exhibit 1.

12 V

13 In addition to the amounts set forth above, the United States of America is entitled to have and  
14 recover reasonable attorneys fees from the Defendant.

15 WHEREFORE, the United States demands judgment against Defendant as follows:

16 1. Principal in the amount of \$79,034.50; administrative/collection costs of \$.00; and interest  
17 in the amount of \$874.90 accrued through March 17, 2011;

18 2. Interest to continue to accrue on the \$79,034.50 principal at the rate of 3.25% per annum  
19 (\$7.02 per day) from March 17, 2011 until paid in full or until date of judgment;

20 3. Interest on the total judgment amount from the date of judgment at the legal rate in effect on  
21 the date of judgment, computed daily and compounded annually, until paid in full, pursuant to  
22 U.S.C. §§ 1961;

23 4. Reasonable attorney's fee;

24 5. Costs of suit;

25 6. Filing fee of Three Hundred Fifty Dollars (\$350.00) pursuant to 28 U.S.C. § 2412(a)(2);

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- 1 7. Docket fees of Twenty Dollars (\$20.00) pursuant to 28 U.S.C. § 1923(a); and  
2 8. Such other relief as this Court may deem just.

3  
4 DATED this 21st day of March 2011.

5 JENNY A. DURKAN  
6 United States Attorney

7 */s/ Anastasia Bartlett*  
8 ANASTASIA BARTLETT  
9 Assistant United States Attorney  
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