

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

NOV 6 2012

John Eakin

Plaintiff

v.

Ms. Melissa Albright, Civil Process Clerk, Office of the United States Attorney for the Western District of Texas

Defendant

Civil Action No.

SA12CA1002

CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS BY DEPUTY CLERK

FB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Ms. Melissa Albright Civil Process Clerk Office of the United States Attorney for the Western District of Texas 601 N.W. Loop 410, Suite 600 San Antonio, Texas 78216-5597

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:

John Eakin 9865 Tower View Road Helotes, Texas 78023

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.

OCT 18 2012

Date:

CLERK OF COURT

Beverly Nalden Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* US Atty - WD TX
was received by me on *(date)* 10/18/12

I personally served the summons on the individual at *(place)* _____
on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* MICHELLE DUBLIN, who is
designated by law to accept service of process on behalf of *(name of organization)* US Atty - WD TX
on *(date)* 10/18/12 ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 10/18/2012

Jean P. Eakin
Server's signature

JEAN P. EAKIN
Printed name and title

9865 TOWER VIEW, ADELTON, TX 78023
Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

John Eakin

Plaintiff

v. LEON E. PANETTA, in his official capacity as Secretary of Defense

Defendant

Civil Action No.

5:12CA1002

SUMMONS IN A CIVIL ACTION

FB

To: (Defendant's name and address)

LEON E. PANETTA, in his official capacity as Secretary of Defense
Defense Pentagon
Washington, DC 20301-1155

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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.

OCT 18 2012

CLERK OF COURT

Date:

Beverly Nolden
Signature of Clerk or Deputy Clerk

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

Civil Action No.

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

(This section)

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

This summons for (name) was received by me on (date)

I personally served

I left the summons

on (date)

I served the summons

designated by law to accept service of process on behalf of (name of organization)

I returned the summons unexecuted because

Other (specify):

CMRR ~~1670~~ 7010 1670 0002 4557 3013

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 4/1/12


 Server's signature
 JEAN GAKIN
 Printed name and title

9865 TOWER VIEW, HELOTES, TX 78023
 Server's address

Additional information regarding attempted service, etc:

A. Signature Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:
 LEON PANETTA, SEC DEF
 DEFENSE PENTAGON
 WASHINGTON, DC
 20301-1155

2. Article Number 7010 1670 0002 4557 3013
 (Transfer from service)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

John Eakin

Plaintiff

v.

JOHNIE E. WEBB, in his official capacity as Deputy to the Commander for External Relations and Legislative Affairs, Joint POW/MIA Accounting Command

Defendant

Civil Action No.

5:12-cv-01002

FB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) JOHNIE E. WEBB, in his official capacity as Deputy to the Commander for External Relations and Legislative Affairs, Joint POW/MIA Accounting Command, 310 Worchester Avenue, Bldg. 45, Joint Base Pearl Harbor-Hickam, Hawaii 96853-5530

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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: OCT 18 2012

Signature of Clerk or Deputy Clerk

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature
 X Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

AO 440 (Rev. 12/09) Summ
 Civil Action No.

1. Article Addressed to:

(Th) JOHNNIE WEBB
JPAC
 This summo 310 WORCHESTER AVE
 was received by me BLDG 45
 I persona JB-PH Hickam, HI
96853-5530

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from servi) 7010 3090 0002 7073 1000

I left the

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

, a person of suitable age and discretion who resides there,
 on (date) , and mailed a copy to the individual's last known address; or

I served the summons on (name of individual) , who is
 designated by law to accept service of process on behalf of (name of organization)

on (date) ; or

I returned the summons unexecuted because ; or

Other (specify):

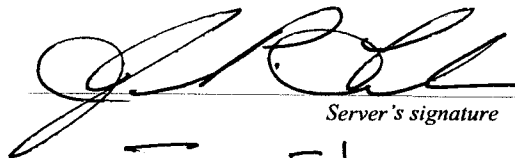
CMRR 7010 3090 0002 7073 1000

My fees are \$ for travel and \$ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date:

11/1/12



Server's signature

JEAN EAKIN

Printed name and title

9865 TOWER VIEW, HELOTES, TX 78023
 Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas []

John Eakin

Plaintiff

v.

MAX CLELAND, in his official capacity as Secretary of the American Battle Monuments Commission

Defendant

Civil Action No.

SA12CA1002

FB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Max Cleland, Secretary
American Battle Monuments Commission
2300 Clarendon Boulevard
Arlington, VA 22201

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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

Beverly N. Alden
Signature of Clerk or Deputy Clerk

OCT 18 2012

Date:

AO 440 (1)

Civil

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

was re: **MAX CLELAND, SEC
ABWC
COURTHOUSE PLAZA II
2300 CLARENDON BLVD
ARLINGTON, VA
22201**

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

Jean Marshall

C. Date of Delivery

4 (1)

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

; or

4. Restricted Delivery? (Extra Fee)

- Yes

ides there,

2. Article Number

7010 1670 0002 4557 2993

(Transfer from service la.

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

_____, who is
designated by law to accept service of process on behalf of (name of organization)

on (date)

; or

I returned the summons unexecuted because _____ ; or

Other (specify):

CWR 7010 1670 0002 4557 2993

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ **0.00**

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

JEAN EAKIN

Printed name and title

9865 Tower View, Helotes, TX 78023

Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

John Eakin

Plaintiff

v.

W. MONTAGUE WINFIELD, in his official capacity as
Deputy Assistant Secretary of Defense for
POW/Missing Personnel Affairs

Defendant

Civil Action No.

SA12CA1002

FB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) W. MONTAGUE WINFIELD, Deputy Assistant Secretary of Defense for
POW/Missing Personnel Affairs
Defense Prisoner of War / Missing Personnel Office
2600 Defense Pentagon
Washington, DC 20301-2600

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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

Beverly Holden
Signature of Clerk or Deputy Clerk

OCT 18 2012

Date:

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

CWRR 7010 3090 0002 7073 0997

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 11/1/12



Server's signature

JEAN EAKIN

Printed name and title

9865 TOWER VIEW, HELOTES, TX 78023

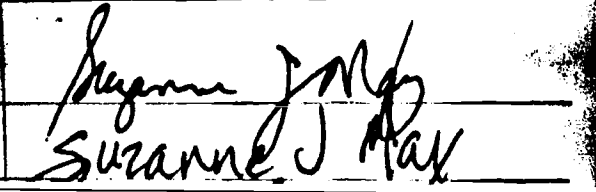
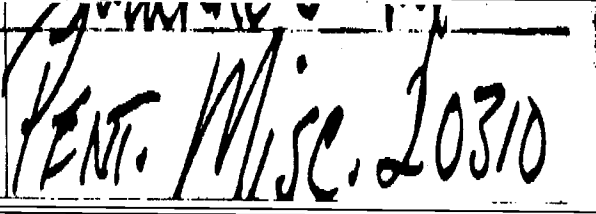
Server's address

Additional information regarding attempted service, etc:



Track/Confirm - Intranet Item Inquiry
Item Number: 7010 3090 0002 7073 0997

This item was delivered on 10/23/2012 at 11:37

Signature:	
Address:	

Enter Request Type and Item Number:

Quick Search Extensive Search

[Explanation of Quick and Extensive Searches](#)

Version 1.0

Inquire on multiple items.

Go to the Product Tracking System Home Page.

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

John Eakin

Plaintiff

v.

U.S. Department of Justice
Asst Attorney General For Administration
Justice Management Division

Defendant

Civil Action No.

SA12CA1002



SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) U.S. Department of Justice
Asst Attorney General For Administration
Justice Management Division
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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

Beverly Nalden
Signature of Clerk or Deputy Clerk

Date: OCT 18 2012

AO 440 (Rev. 11/06/12)

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Civil Act

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature [Signature] Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery NOV 28 2012 (D)

D. Is delivery address different from Item 1? Yes No
If YES, enter delivery address below: _____

1. Article Addressed to:
 was recei US DOJ
ASST AG FOR ADMIN
 950 PENNSYLVANIA NW
WASHINGTON, DC
 20530-0001

3. Service Type
 Certified Mail Express Mail ; or
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes _____ es there,

2. Article Number 7010 3090 0002 7073 1017
 (Transfer from service lab.)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540, who is
 designated by law to accept service of process on behalf of (name of organization)
 _____ on (date) _____ ; or

I returned the summons unexecuted because _____ ; or

Other (specify):
CWER 7010 3090 0002 7073 1017

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 11/1/12

[Signature]
 Server's signature
JEAN EAKIN
 Printed name and title

9865 TOWER VIEW, HELOTES, TX 78023
 Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

John Eakin

Plaintiff

v.

U.S. DEPARTMENT OF DEFENSE

Defendant

Civil Action No.

SA12CA1002

FB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

U.S. DEPARTMENT OF DEFENSE
ATTN: General Counsel
Defense Pentagon
Washington, DC 20301-1155

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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

Beverly Nolden
Signature of Clerk or Deputy Clerk

Date: OCT 18 2012

AO 440 (Rev. 12/04)

Civil Action	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>This was received</p> <p><input type="checkbox"/> I</p> <p><input type="checkbox"/> I</p>	<p>1. Article Addressed to:</p> <p>DEPT OF DEFENSE ATTN: GEN COUNSEL DEFENSE PENTAGON WASHINGTON, DC 20301-1155</p>	<p>3. Service Type</p> <p><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 checked="" type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes</p>

on (d) 2. Article Number: 7010 1670 0002 4557 3006
 (Transfer from service label)

I PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540, who is designated by law to accept service of process on behalf of (name of organization) on (date); or

I returned the summons unexecuted because; or

Other (specify):
 CWRR 7010 1670 0002 4557 3006

My fees are \$ for travel and \$ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 11/1/12


 Server's signature
 JEAN GAKIN
 Printed name and title

9865 TOWER VIEW, HELOTES, TX 78023
 Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

John Eakin

Plaintiff

v.

AMERICAN BATTLE MONUMENTS COMMISSION

Defendant

Civil Action No.

5 A12CA1002

FB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

AMERICAN BATTLE MONUMENTS COMMISSION
Courthouse Plaza II, Suite 500
2300 Clarendon Boulevard
Arlington, VA 22201

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:

John Eakin
9865 Tower View Road
Helotes, Texas 78023

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: OCT 18 2012

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/01)

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Civil Action

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature  Agent
 Addressee

B. Received by (Printed Name) JOY MARSHALL C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

1. Article Addressed to:

This was received by ABMC
COURTHOUSE PLAZA II
 I SUITE 500
2300 CLARENDON BLVD
ARLINGTON, VA
 I 22201

3. Service Type
 Certified Mail Express Mail or
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

on (Transfer from service label) 7010 1670 0002 4557 2986

I PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

designated by law to accept service of process on behalf of (name of organization)

on (date) ; or

I returned the summons unexecuted because ; or

Other (specify):

CWTR 7010 1670 0002 4557 2986

My fees are \$ for travel and \$ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 11/1/12


 Server's signature

JEAN EAKIN
 Printed name and title

9865 TOWER VIEW, HELOTES, TX 78023
 Server's address

Additional information regarding attempted service, etc: