

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA)	
and)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	No. 01cv00072 BB/WDS
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	
)	
v.)	
)	
A & R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

NOTICE OF FILING PROOF OF SERVICE OF SUMMONS

The United States of America (“United States”) hereby states that pursuant to Fed. R. Civ. P. 4(e) and (h) the following defendants were served with process in the above-captioned matter.

<u>Defendant</u>	<u>Subfile No.</u>	<u>Date of Service</u>
Grace Family, LLC	ZRB-1-0040	August 19, 2008
Marcia Lambson	ZRB-4-0226	August 20, 2008
Preston Lambson	ZRB-4-0226	August 20, 2008
Wade Murray	ZRB-3-0118	August 17, 2008
Fronnie Murray	ZRB-3-0118	August 17, 2008
Jane Mansperger	ZRB-4-0323	August 25, 2008
Juana Billings	ZRB-4-0043	August 16, 2008

Dated: September 4, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER
U.S. Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294
(303) 844-1359

COUNSEL FOR THE UNITED STATES

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V. A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

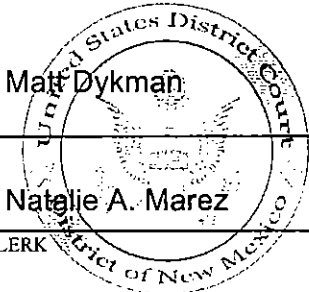
TO: (Name and address of Defendant)

Grace Family LLC
2784 U.S. Route 7
Pittsford, VT 05763

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Monday, August 20, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ *Signature of Server* _____

Address of Server

SEE ATTACHED AFFIDAVIT OF SERVICE

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of AUG 19, 2008 at the address of 2784 US Rt #7, Pittsford
city of _____, county of Rutland,
state of Vermont, this affiant served the above described documents upon:

GRACE FAMILY LLC

Personal Service

by then and there personally delivering _____ true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering A true and correct copy(ies) thereof, by then presenting to and leaving the same with A James Grace / Agent Corp. officer
Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____ a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

C.J. Pritchard
Typed or Printed Name of Process Server

Pritchard
Server Signature

Subscribed and Sworn to before me this 19th Day of
August 2008

a Notary Public in the State of Vermont
Residing at N. Clarendon, VT

Dulora J. Bair



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657828



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V. A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

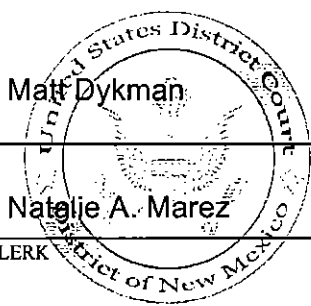
TO: (Name and address of Defendant)

Marcia Lambson
1577 Plaza West Dr., Suite A
Prescott, AZ 86030

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	8-20-08 @ 3:15pm
NAME OF SERVER (PRINT)	TITLE	
TRACY B. ARNOLD	SERVER	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>5685 Symphony Dr</u> <u>Prescott, AZ 86305</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
0		
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	<u>8-20-08</u>	<u>Tracy B Arnold</u>
	Date	Signature of Server
	<u>15 E Goodwin St STE B</u>	
	Address of Server	
	<u>Prescott, AZ 86303</u>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 8-20-08 @ 3:15pm at the address of 5685
Syphony Dr city of Prescott, county of Yavapai,
state of ARIZONA, this affiant served the above described documents upon:

MARCIA LAMBSON

Personal Service

by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____

Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

Tracy B. Arnold
Typed or Printed Name of Process Server

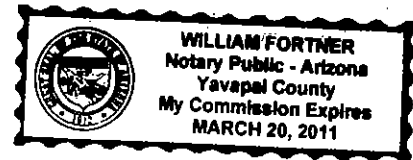
Tracy B. Arnold
Server Signature

Subscribed and Sworn to before me this 8-21-08

William Fortner

a Notary Public in the State of ARIZONA

Residing at 115 E GOODWIN ST
PRESOTT, AZ 86303



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657874



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V.

A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

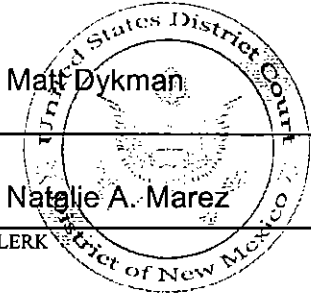
TO: (Name and address of Defendant)

Preston Lambson
1577 Plaza West Dr., Suite A
Prescott, AZ 86030

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Monday, August 13, 2007

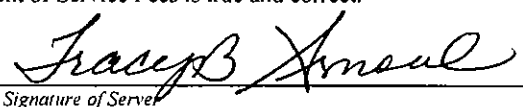
CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	8/20/08 @ 3:15pm
NAME OF SERVER (PRINT)	TITLE	
TRACY B. ARNOLD	SERVER	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>5685 SYPHONY DR</u> <u>PRESCOTT, AZ 86305</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
0		
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	 Signature of Server	
<u>8/20/08</u> Date		
	<u>115 E Goodwin St STE B</u> Address of Server <u>Prescott, AZ 86303</u>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 8-20-08 @ 3:15pm at the address of 5685
Symphony DR city of PRESCOTT, county of YAVAPAI,
state of ARIZONA, this affiant served the above described documents upon:

PRESTON LAMBSON

Personal Service

by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____

Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

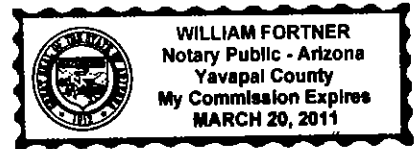
No information was provided that indicates that the subjects served are members of the U.S. military.

Tracy B Arnold
Typed or Printed Name of Process Server

Tracy B Arnold
Server Signature

Subscribed and Sworn to before me this 8-21-08

William Fortner
a Notary Public in the State of ARIZONA
Residing at 115 E GOODWIN ST D
PRESCOTT, AZ 86303



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657875



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V. A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

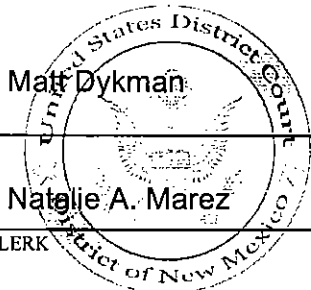
TO: (Name and address of Defendant)

Wade Murray
8977 Glen Alder
Sacramento, CA 95826

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Wednesday, August 08, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ *Signature of Server* _____

Address of Server

SEE ATTACHED AFFIDAVIT OF SERVICE

IN THE
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:
01CV00072-BB

AFFIDAVIT OF SERVICE OF:
SUMMONS; AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the **17th day of August, 2008, at 10:14 AM**, at the address of **8977 GLEN ALDER, SACRAMENTO, Sacramento County, CA 95826**; this affiant served the above described documents upon **WADE MURRAY**, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **WADE MURRAY, NAMED DEFENDANT, A white male approx. 55-65 years of age 5'4"-5'6" in height weighing 160-180 lbs with black hair.**

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **18th day of August, 2008.**

Mike Singh, Reg. # 2000-002, Sacramento, CA

SUBSCRIBED AND SWORN to before me this 18th day of August, 2008

Tiffany Rae Goucher

NOTARY PUBLIC in and for the State of California
Residing at: Lincoln, California
My Commission Expires: 5/31/2012



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE

Tracking #: **5657837 SEA**



AO 440 (Rev. 3/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V. A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

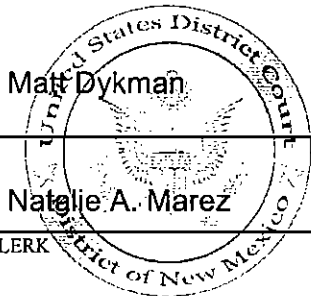
TO: (Name and address of Defendant)

Fronnie Murray
8977 Glen Alder
Sacramento, CA 95826

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Wednesday, August 08, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

SEE ATTACHED AFFIDAVIT OF SERVICE

IN THE
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:
01CV00072-BB

AFFIDAVIT OF SERVICE OF:
SUMMONS; AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the **17th day of August, 2008, at 10:14 AM**, at the address of **8977 GLEN ALDER, SACRAMENTO, Sacramento County, CA 95826**; this affiant served the above described documents upon **FRONNIE MURRAY**, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **FRONNIE MURRAY, NAMED DEFENDANT, A white female approx. 55-65 years of age 5'6"-5'8" in height weighing 140-160 lbs with brown hair.**

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **18th day of August, 2008.**

Mike Singh, Reg. # 2000-002, Sacramento, CA

SUBSCRIBED AND SWORN to before me this 18th day of August, 2008

Tiffany Rae Goucher

NOTARY PUBLIC in and for the State of **California**
Residing at: Lincoln, California
My Commission Expires: 5/31/2012



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE

Tracking #: **5657838 SEA**



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V. A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Jane Mansperger
1222 E. Baseline Rd., Suite 200
Tempe, AZ 85283

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Matt Dykman

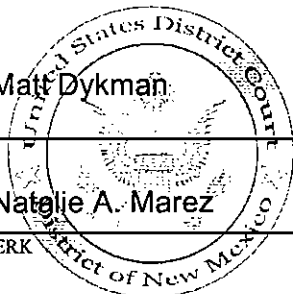
Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

SEE ATTACHED AFFIDAVIT OF SERVICE


PROOF OF SERVICE

DATE	PLACE
SERVED 08/25/08 - 14:18	1222 E BASELINE RD STE 200 TEMPE AZ 85283
SERVED ON (PRINT NAME) JANE MANSPERGER	MANNER OF SERVICE PERSONAL
SERVED BY (PRINT NAME) RICH KINGDON	TITLE ARIZONA PROCESS SERVER MARICOPA COUNTY #7238

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 08/25/08
DATE


SIGNATURE OF SERVER
(for) ABC LEGAL SERVICES / PEI
ADDRESS OF SERVER

633 YESLER WAY, SEATTLE, WA 98104

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held;
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(e) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).

IN THE
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:
01CV00072-BB

AFFIDAVIT OF SERVICE OF:
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

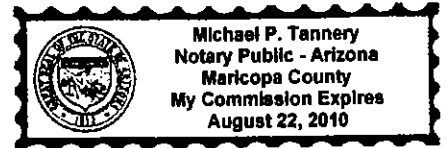
On the **25th day of August, 2008, at 2:18 PM**, at the address of **1222 E BASELINE Road SUITE 200, TEMPE, Maricopa County, AZ 85283**; this affiant served the above described documents upon **JANE MANSPERGER**, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **JANE MANSPERGER, NAMED DEFENDANT, A white female approx. 45-55 years of age with blonde hair.**

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **25th day of August, 2008.**

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 25th day of August, 2008



NOTARY PUBLIC in and for the State of **Arizona**
Residing at: MARICOPA CTY
My Commission Expires: 8/22/10



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF
SERVICE

Tracking #: **5657817 SEA**



SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V.

A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

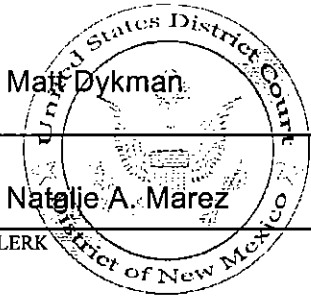
TO: (Name and address of Defendant)

Juana M. Billings
5850 Seanifer Dr
Tuscon, AZ 85741-5252

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Mat Dykman

Thursday, August 09, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date Signature of Server

Address of Server

SEE ATTACHED AFFIDAVIT OF SERVICE

IN THE
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:
01CV00072-BB


AFFIDAVIT OF SERVICE OF:
SUMMONS AND AMENDED
COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the **16th day of August, 2008, at 12:30 PM**, at the address of **CCS SYSTEMS, 5850 SEANIFER Drive, TUCSON, Pima County, AZ 85741**; this affiant served the above described documents upon **JUANA M. BILLINGS**, by then and there personally delivering **1** true and correct copy(ies) thereof, by then presenting to and leaving the same with **JUANA M. BILLINGS, NAMED DEFENDANT, A Hispanic female approx. 45-55 years of age 5'2"-5'4" in height weighing 120-140 lbs.**

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **19th day of August, 2008.**



GEORGE C MEW, Reg. # 285, PIMA, AZ

SUBSCRIBED AND SWORN to before me this 19th day of August, 2008



NOTARY PUBLIC in and for the State of **Arizona**

Residing at: _____

My Commission Expires: _____



FOR: **U S Dept of Justice - Denver** ORIGINAL Tracking #:

PROOF **5657864** SEA

OF

