

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOSEPH ARPAIO)	
)	
Plaintiff,)	
)	
v.)	Civ. Action No. 14-cv-1966 (BAH)
)	
BARACK OBAMA, ET AL.)	
)	
Defendants.)	
_____)	

RESPONSE TO PRAECIPE

Plaintiff’s attempt to effectuate service through email and through an attorney not assigned to this case created confusion. Notwithstanding that initial confusion, undersigned counsel has now entered an appearance and will seek to confer with plaintiff’s counsel prior to the Court’s December 9, 2014, deadline to propose a schedule for briefing plaintiff’s motion for a preliminary injunction. Lastly, on the question of the service of the complaint, plaintiff is required to follow the strictures of Rule 4(i) of the Federal Rules of Civil Procedure for serving the United States. That includes serving the United States Attorney’s Office and the Attorney General through hand delivery or registered or certified mail. It does not include emailing the complaint to a Department of Justice attorney. It does appear, however, that plaintiff has at the very least effectuated service on the United States Attorney’s office for the District of Columbia consistent with Rule 4.

Dated: December 6, 2014

Respectfully submitted,

JOYCE R. BRANDA
Assistant Attorney General

DIANE KELLEHER
Assistant Branch Director

/s/ Adam D. Kirschner
ADAM D. KIRSCHNER
BRADLEY H. COHEN
Trial Attorneys
Civil Division, Federal Programs Branch
U.S. Department of Justice
P.O. Box 883
Washington, D.C. 20044
Tel.: (202) 353-9265
Fax: (202) 616-8470
Adam.Kirschner@usdoj.gov

Attorneys for Defendants