

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

MARK T. ESPER, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

NICHOLAS HARRISON, ET AL.,

PLAINTIFFS,

V.

MARK T. ESPER, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-CV-00641

**CONSENT MOTION FOR SUBSTITUTION OF PARTIES**

Pursuant to Federal Rule of Civil Procedure 25(c), Plaintiffs submit this Motion to Substitute Parties.

On August 6, 2019, a merger transaction between OutServe-SLDN, Inc. and the American Military Partner Association (“AMPA”) took effect. The resulting entity was the Modern Military Association of America (“MMAA”). MMAA is not a publicly held corporation or other publicly held entity, has no parent corporations, and does not issue stock.

Rule 25(c) provides that “[i]f an interest is transferred, the action may be continued by or against the original party unless the court, on motion, orders the transferee to be substituted in the action or joined with the original party.” Here, as a result of the merger of OutServe-SLDN and AMPA, MMAA is the real party in interest in these cases. MMAA represents that the substitution

sought in this motion will have no effect on Defendants' renewed motion to dismiss OutServe-SLDN, and does not change the facts or existing record applicable to Plaintiffs' causes of action.

Based on these representations, Defendants consent to this motion.

For these reasons, Plaintiffs respectfully ask the Court to substitute the Modern Military Association of America for OutServe-SLDN, Inc. in the above-captioned cases. A proposed order is attached.

Dated: March 10, 2020

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Respectfully submitted,  
*/s/ John W. H. Harding*

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**CERTIFICATE OF SERVICE**

I certify that, on the 10th day of March, 2020, I caused this document to be filed electronically through the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated March 10, 2020

Respectfully submitted,

/s/ John W.H. Harding

John W.H. Harding

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**[PROPOSED] ORDER GRANTING SUBSTITUTION OF PARTIES**

Pursuant to Plaintiffs' consent motion, the Court hereby orders that:

1. The Modern Military Association of America is substituted in place of OutServe-SLDN, Inc. in the above-captioned cases. The Clerk is requested to have the docket sheets reflect that OutServe-SLDN, Inc. is no longer a party and the Modern Military Association of America is a Plaintiff.

SO ORDERED

Dated: \_\_\_\_\_

\_\_\_\_\_  
LEONIE BRINKEMA  
United States District Judge