

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

THE STATE OF TENNESSEE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 3:22-cv-00257
)	
UNITED STATES DEPARTMENT OF)	
AGRICULTURE, et al.,)	
)	
Defendants.)	

NOTICE OF FILING PROOF OF SERVICE

Please take notice that Plaintiffs submit the attached proof of service pursuant to Fed. R. Civ. P. (4)(1).

Respectfully Submitted,

/s/ Brandon J. Smith (BPR # 037272)
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/s/ Lindsay S. See

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Counsel for the State of West Virginia

***Application for Pro Hac Vice Admission Forthcoming**

****Admitted Pro Hac Vice**

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2022, a true and exact copy of the foregoing document was forward, by certified mail, to the parties identified below:

U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

The Honorable Tom Vilsack
Secretary of the U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Administrator Cindy Long
Food and Nutrition Services
U.S. Department of Agriculture
Braddock Metro Center II
1320 Braddock Place
Alexandria, VA 22314

Director Roberto Contreras
Civil Rights Division, Food and Nutrition Service
U.S. Department of Agriculture
Braddock Metro Center II
1320 Braddock Place
Alexandria, VA 22314

/s/ Brandon J. Smith
BRANDON J. SMITH
Assistant Solicitor General

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

The State of Tennessee, et al.

Plaintiff(s)

v.

The United States Department of Agriculture

Defendant(s)

Civil Action No. 3:22-cv-00257

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

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:

Brandon J. Smith
Assistant Solicitor General
Office of the Tennessee Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202

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

Signature of Clerk or Deputy Clerk

Date: 8/5/2022

Civil Action No. 3:22-cv-00257

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)* U.S. Department of Agriculture
was received by me on *(date)* 08/05/2022.

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

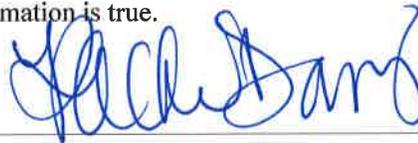
I returned the summons unexecuted because _____ ; or

Other *(specify)*: I served the summons by certified mail as required under the civil rules. The summons was
delivered on August 17, 2022.

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: 08/17/2022



Server's signature

Rachel Davis, Executive Assistant

Printed name and title

Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, TN 3202

Server's address

Additional information regarding attempted service, etc:

Track Another Package +

Tracking Number: 70201810000010304456

Remove X

Your item was delivered to an individual at the address at 8:30 am on August 17, 2022 in WASHINGTON, DC 20250.

USPS Tracking Plus[®] Available ∨

Delivered, Left with Individual

August 17, 2022 at 8:30 am
WASHINGTON, DC 20250

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Get Updates ∨

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Tracking History



USPS Tracking Plus[®]



Product Information



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UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

The State of Tennessee, et al.

Plaintiff(s)

v.

The United States Department of Agriculture

Defendant(s)

Civil Action No. 3:22-cv-00257

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Honorable Tom Vilsack
Secretary of the U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

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:

Brandon J. Smith
Assistant Solicitor General
Office of the Tennessee Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202

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

Handwritten signature of the Clerk or Deputy Clerk

Date: 8/5/2022

Signature of Clerk or Deputy Clerk

Civil Action No. 3:22-cv-00257

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)* The Honorable Tom Vilsack, Secretary of Agriculture
was received by me on *(date)* 08/05/2022.

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): I served the summons by certified mail as required under the civil rules. The summons was delivered on August 16, 2022.

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: 08/17/2022



Server's signature

Rachel Davis, Executive Assistant

Printed name and title

Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, TN 3202

Server's address

Additional information regarding attempted service, etc:

[Track Another Package +](#)

Tracking Number: 70201810000010304463

[Remove X](#)

Your item was delivered to an individual at the address at 11:56 am on August 16, 2022 in WASHINGTON, DC 20250.

USPS Tracking Plus[®] Available [v](#)

Delivered, Left with Individual

August 16, 2022 at 11:56 am
WASHINGTON, DC 20250

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Tracking History [v](#)

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UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

The State of Tennessee, et al.

Plaintiff(s)

v.

The United States Department of Agriculture

Defendant(s)

Civil Action No. 3:22-cv-00257

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Administrator Cindy Long
Food and Nutrition Services
U.S. Department of Agriculture
Braddock Metro Center II
1320 Braddock Place
Alexandria, VA 22314

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:

Brandon J. Smith
Assistant Solicitor General
Office of the Tennessee Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202

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

Handwritten signature in blue ink

Signature of Clerk or Deputy Clerk

Date: 8/5/2022

Civil Action No. 3:22-cv-00257

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)* Cindy Long, Administrator of Food & Nutrition Service, USDA
was received by me on *(date)* 08/05/2022.

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)*: I served the summons by certified mail as required under the civil rules. The summons was
delivered on August 15, 2022.

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: 08/17/2022



Server's signature

Rachel Davis, Executive Assistant

Printed name and title

Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, TN 3202

Server's address

Additional information regarding attempted service, etc:

Track Another Package +

Tracking Number: 70201810000010304449

Remove X

Your item was delivered to the front desk, reception area, or mail room at 2:45 pm on August 15, 2022 in ALEXANDRIA, VA 22314.

USPS Tracking Plus® Available ∨

 **Delivered, Front Desk/Reception/Mail Room**

August 15, 2022 at 2:45 pm
ALEXANDRIA, VA 22314

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UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

The State of Tennessee, et al.

Plaintiff(s)

v.

The United States Department of Agriculture

Defendant(s)

Civil Action No. 3:22-cv-00257

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Director Roberto Contreras
Civil Rights Division, Food and Nutrition Service
U.S. Department of Agriculture
Braddock Metro Center II
1320 Braddock Place
Alexandria, VA 22314

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:

Brandon J. Smith
Assistant Solicitor General
Office of the Tennessee Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202

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

Handwritten signature of the Clerk or Deputy Clerk

Signature of Clerk or Deputy Clerk

Date: 8/5/2022

Civil Action No. 3:22-cv-00257

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)* Roberto Contreras, Director, FNS Civil Rights Div., USDA
was received by me on *(date)* 08/05/2022.

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)*: I served the summons by certified mail as required under the civil rules. The summons was
delivered on August 15, 2022.

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: 08/17/2022



Server's signature

Rachel Davis, Executive Assistant

Printed name and title

Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, TN 3202

Server's address

Additional information regarding attempted service, etc:

Track Another Package +

Tracking Number: 70201810000010304432

[Remove X](#)

Your item was delivered to the front desk, reception area, or mail room at 2:45 pm on August 15, 2022 in ALEXANDRIA, VA 22314.

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August 15, 2022 at 2:45 pm
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