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11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

13 ED CV 13 - 0483

14 Joann Davis, an individual, and Paul
15 Cilley, an individual

16 Plaintiffs,

17 v.

18 The United States of America, Norman
19 Conley, Thomas Reynolds, Mike
20 Harrison, Robert Schmidt, Patricia
21 Searle, Gary Lofgren, and Does
22 1through 10

23 Defendants.

24 Case No.:

25 **Complaint for Damages**

26 Federal Tort Claim Act Claim (I-VII)
27 Fed.R.Civ.Proc. 41(g) (VIII)
28 *Bivens* (IX-XII)

JURY TRIAL DEMANDED

FILED
2013 MAR 14 PM 3:55
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

COMPLAINT

The plaintiffs by and through their counsel, sue the United States of America, and for his complaint state:

Introductory and Jurisdictional Allegations

1. Plaintiffs seek damages arising from the United States of America, for claims cognizable under the Federal Tort Claims Act. (I-VII)
2. Plaintiff Davis seeks return of her property in a claim cognizable under Fed.R.Civ.Proc. 41(g). (VIII)
3. Plaintiffs seek damages arising from Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia Searle, Gary Lofgren, and

1 Does 1 through 10, for claims arising under *Bivens v. Six Unknown Named*
2 *Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971) (IX-XII)

3 4. Under U.S. Const. Art. III, § 2, this Court has jurisdiction because
4 the rights sought to be protected herein are secured by the U.S. Const. Amends 4
5 & 5. Jurisdiction is proper pursuant to 28 U.S.C. § 1331, and federal common
6 law, and 28 U.S.C. § 1346.

7 5. The unlawful acts alleged herein were committed within the
8 jurisdiction of the United States District Court for the Central District of
9 California.

10 6. Venue of the Court is appropriate under 28 U.S.C. § 1391. A
11 substantial part of the events or omissions giving rise to the claim occurred in the
12 City of Lake Elsinore, County of Riverside, State of California.

13 7. A claim for damages pursuant to the Federal Tort Claim Act was
14 submitted to the United States of America in a timely fashion. The claim is
15 attached hereto. The United States did not respond to the claim.

16 **Parties**

17 8. The United States of America is the federal government, of which
18 NASA is an agency.

19 9. Joann Davis and Paul Cilley are natural persons residing in
20 Riverside County, California.

21 10. Norman Conley, Thomas Reynolds, Mike Harrison, Robert
22 Schmidt, Patricia Searle, Gary Lofgren, and Does 1 through 9 are natural persons,
23 employees of the United States of America and NASA, and at all times were
24 acting within scope of their employment by the United States of America and
25 NASA. Each of these actively participated in the wrongful acts of the others.

26 11. Does 1 through 10 are sued as fictitious persons. Does 1-9 are
27 employees of the United States of America. Doe 10 is an informant, and agent of
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1 the United States of America. Their names and identities are unknown to
2 Plaintiffs. When their identities are discovered by Plaintiffs, this pleading will be
3 amended to allege their true names.

4 **General Allegations**

5 12. These initial facts provide background for the incident on May 19,
6 2011, described below.

7 a. Joann Davis and her deceased husband: who they are.

8 13. Joann Davis was, at the time of this incident (May 19, 2011), a 4' 11",
9 74-year-old retiree. She had retired from North American Rockwell in 1992. She
10 has not been employed by any aerospace contractor or any government agency
11 since that time. Her husband Robert Davis had also been an employee at North
12 American Rockwell until his death on February 5, 1986. These facts were
13 known and were verifiable by NASA and the United States of America and the
14 individual defendants.

15 14. Robert Davis was a engineer who had worked on various space
16 programs, including the Apollo missions, for North American Rockwell. At no
17 time did he nor Joann Davis work directly for NASA. That is, they were not
18 NASA employees. Neither had access to the NASA Lunar Receiving Lab where
19 moon rocks and lunar samples were kept. These facts were known and were
20 verifiable by NASA and the United States of America and the individual
21 defendants.

22 b. Robert Davis is given awards for service.

23 15. In the early 1970s, Robert Davis received two awards, both fashioned
24 as paper weights, that were meant to recognize his contributions in the Apollo 11
25 moon landing program. One of these Lucite (or like plastic/polymer)
26 paperweights contained a small portion of the Apollo 11 heat shield. The other
27 was said to have contained small fragments (the size of pieces of rice) of lunar
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1 material (a.k.a. moon rocks) brought back by the Apollo 11 mission. Plaintiffs
2 are informed and believe that NASA and its administrators authorized the
3 practice of giving out these awards and that this practice was widespread. These
4 moon rocks given out were *not* part of the “Goodwill” moon rocks provided by
5 the United States to other nations and our various states. These facts were known
6 and were verifiable by NASA and the United States of America and the
7 individual defendants.

8 16. The Lucite (or like polymer) encased heat shields and moon rocks
9 were community property under California family law as they were acquired
10 during the course of Robert and Joann Davis’ legal marriage and stayed with the
11 estate/community when Robert Davis passed.

12 c. NASA’s practice of giving such awards.

13 17. Plaintiffs are informed and believe that in the late 1960s or early
14 1970s, NASA approved the practice that allowed small chips of moon rocks
15 and/or pieces of spacecraft heat shields to be embedded in Lucite or other like
16 polymer to be provide as souvenir awards to deserving individual employees of
17 aerospace contractors. These facts were known and were verifiable by NASA
18 and the United States of America and the individual defendants.

19 d. Joann Davis tries to sell her souvenirs.

20 18. In and around the spring of 2011, JoAnn Davis sought to sell or
21 otherwise find a buyer for the Apollo 11 heat shield and moon rock paperweights
22 given to her husband for his service. She did so mainly because she was living
23 on a fixed income, and was having trouble making ends meet, and moreover she
24 sought to care for her ailing adult son. This was known to NASA and the
25 United States of America and the individual defendants.

1 e. The United States and NASA have made private sale of space souvenirs
2 hard.

3 19. After several failed attempts to find buyers and/or auction houses
4 who would accept the souvenirs, Davis discovered that the auction houses
5 believed that NASA and the United States of America had made it nearly
6 impossible for private persons to acquire, sell, or possess Apollo-program moon
7 rocks. The reasons for this interference were murky. The United States of
8 America has made, through various media outlets, vague claims that Apollo
9 moonrocks are "national treasures" that cannot be sold, or cannot be sold legally,
10 or cannot be lawfully possessed by individuals. Notwithstanding their
11 knowledge to the contrary, and contrary practice, NASA spokespersons and
12 personnel have stated to media outlets that *no* lunar sample, not even chips (as
13 was in the paperweights at issue here), have *ever* been given to individuals.
14 These acts have been ongoing for at least a decade and continue to date. These
15 facts (including NASA's dissemination of false statements) were known by
16 NASA and the United States of America and the individual defendants.

17 20. Furthermore, contrary to NASA and its agents' and its personnel's
18 statements, no law forbids the private ownership of Apollo moon rocks lawfully
19 acquired. Nor is there a law that states that a "national treasure" can not be
20 possessed or sold.

21 21. Nevertheless, the United States of America and NASA repeatedly
22 stated that the permanent possession of *any* Apollo lunar sample by an individual
23 no matter when and how acquired is a criminal act. They do so without the
24 benefit of fact or law.

25 22. By providing this false information about the state of the law and the
26 propriety of legal ownership of moon rocks (or chips therefrom), and denying
27 that NASA authorized and practiced giveaways of lunar material as described
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1 above, NASA and the United States of America knowingly injure property and
2 the possessory rights of individuals.

3 23. NASA and the United States of America intentionally releases and
4 disseminates this misinformation through its personnel to individuals and the
5 media with the aim of ruining the market value of such items, clouding the title
6 or provenance of such objects, or silencing persons who may have moon rocks
7 from coming forward. Davis is informed and believes that NASA and its
8 personnel, including the individual defendants, have continued to knowingly
9 disseminate this false information through media outlets. The fact that this
10 misinformation is intentionally disseminated for public consumption is known by
11 the NASA and the United States of America and the individual defendants.

12 e. Joann Davis is innocent of any belief that she was doing wrong.

13 24. During her attempts to find a buyer for the heat shield or moon rock
14 paperweights, Davis was *not* told that it violated criminal law, or was in any way
15 illegal, to own, possess, or attempt to sell (or buy) such paperweights. Neither
16 was she told that she did not have title and possessory rights to the paperweights
17 at issue. Thus, Davis did not believe or suspect that it violated criminal law to
18 own, possess, or attempt to sell (or buy) such paperweights. Nor did she believe
19 or suspect that she did not have title and possessory rights to the paperweights at
20 issue. Further, she did not tell anyone it was illegal to own those items. Rather
21 she knew, and divulged to the defendants in this matter, that the paperweights
22 containing the heat shield and the moon rocks had come into her possession
23 legitimately, as described above, and thus were not stolen. NASA and the the
24 United States of America and the individual defendants, by and through their
25 “confidential” informant/agent did not inform her that it was a crime to own or
26 attempt to sell such items.

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1 f. There was no probable cause to believe that Joann Davis was doing
2 wrong.

3 25. No facts that rose to the level of probable cause existed to suggest
4 that Davis had committed any crime, let alone theft or receipt of stolen United
5 States property (a.k.a. the paperweights at issue). No facts that rose to the level
6 of probable cause existed to suggest that Davis knew, believed, or suspected that
7 her husband had committed any crime, let alone theft or receipt of stolen of
8 United States property (a.k.a. the paperweights at issue). This was known to
9 NASA and the United States of America and Norman Conley, Thomas Reynolds,
10 Mike Harrison, and NASA-employee Lofgren, and Does 1 through 10.

11 26. In addition, neither NASA nor the United States of America nor
12 Norman Conley, Thomas Reynolds, Mike Harrison, nor NASA-employee
13 Lofgren, nor Does 1 through 10 had information that rises to the level of probable
14 cause that the Apollo 11 heat shield or moon rock paperweight that Davis
15 possessed was stolen or otherwise obtained through theft or any other criminal
16 act.

17 g. Joann Davis contacts NASA.

18 27. Nevertheless, having no luck finding a buyer in the private sector,
19 Davis contacted NASA in the hope that it might be able to aid her in the sale of
20 the paperweights and other memorabilia her family had collected over the years.
21 She was informed by NASA that a representative of NASA might aid her. On
22 May 10, 2011, Davis wrote that representative, Ms. Renee Allen, an email
23 stating:

24 "... Ms Allen, My name is Joann DAVIS and I live in California.
25 I've been searching the internet for months attempting to find
26 someone that could help me find a buyer for 2 rare Apollo 11 space
27 artifacts. 1. An Apollo 11 Moon Rock and 2. A piece of the Apollo
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1 11 Heat Shield. Both of these items were given to my husband by
2 Neil Armstrong. My husband was very instrumental in all of the
3 space programs right up until his death in February of 1986. He died
4 one week after the Challenger Tragedy. If you have any thoughts as
5 to how I can proceed with the sale of these two items, please call or
6 email me. Joann L. DAVIS - [redacted] ... email address: [redacted]
7 Any help or information would be greatly appreciated ... Thank
8 you"

9 h. NASA takes action against Davis.

10 28. This email was provided to the defendants before the wrongful
11 actions in this matter. That is, Davis is informed (as acknowledged in the
12 affidavit to a search warrant written by defendant Conley) that Renee Allen
13 forwarded this information, including the Davis email [cited above] to Kennedy
14 Space Center Protective Security Officer Robert Schmidt and Resident Agent-in-
15 Charge Patricia Searle of the NASA-OIG, Kennedy Space Center Office. They
16 are employees of the United States of America, and were acting in the course and
17 scope of their employment.

18 29. Davis is informed (as acknowledged in the affidavit to a search
19 warrant written by agent Conley) that Norman D. Conley began or participated in
20 an investigation of Joann Davis. He is a Special Agent and Criminal Investigator
21 for the National Aeronautics and Space Administration, Office of the Inspector
22 General (NASA-OIG), assigned at relevant times at the Kennedy Space Center.
23 His is an employee of the United States of America, and at all times was acting
24 in the course and scope of his employment.

25 30. Davis is informed (as acknowledged in the affidavit to a search
26 warrant written by agent Conley) that Conley had reason to believe that the
27 paperweight Davis sought to sell was indeed a real Apollo 11 moon rock artifact.
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1 That is, he *neither* believed *nor* suspected that Davis was engaged in attempting
2 to sell a counterfeit. He has stated that he came to this conclusion because he
3 recognized Davis' reference to a "heat shield" (*souvenir paperweight*) which he
4 thought lent legitimacy to the email because he knew that heat shields (*souvenir*
5 *paperweights*) did in fact exist and were distributed to key individuals.

6 31. Davis is informed (as acknowledged in the affidavit to a search
7 warrant authored by agent Conley) that Conley said he used a non-law
8 enforcement source to contact Davis in California by phone, Doe 1. On or about
9 May 10, 2011, this alleged CI did contact Davis by phone. Unknown to Davis,
10 these calls were recorded except, allegedly, for the first call. The calls were
11 alleged to have originated from Florida.

12 32. During these conversations, Davis recounted how she came to
13 possess the heat shield and moon rock paperweights as well as other facts as
14 stated above. See also the attached affidavit for search warrant (ED11-0168M).
15 That information was provided to Conley before he sought a search warrant.

16 i. *NASA employees obtain a fraudulent search warrant.*

17 33. On or about May 19, 2012 Defendants sought and obtained a search
18 warrant to seize:

19 " a. The purported Apollo 11 lunar material offered
20 for sale by DAVIS as shown on the right side of Exhibit 1
21 attached to this affidavit; [*Davis Moon rock*]

22 b. Any documents, records, and photographs showing
23 how DAVIS came to possess the purported lunar rock and/or
24 showing her knowledge about the purported lunar rock."

25 34. In that affidavit, Conley stated that they were investigating the crime
26 of possession of stolen property. To support that statement, and allege probable
27 cause for the search of Davis' person and seizure of the moon rock paperweight,

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1 Conley quoted Gary Lofgren, a NASA employee, acting in the course and scope
2 of his employment, who had informed him that it was against NASA policy to
3 permanently release lunar samples to any individual. The affidavit went on to
4 identify that policy as NASA Policy Directive 1387.2f.

5 35. Both Lofgren and Conley knew, but neither divulged to the
6 magistrate, that NASA policy in question came into being three decades after
7 Joann Davis' family had acquired the moon rock paperweight. Lofgren and
8 Conley knew but did not inform the court that no law criminalized the practice of
9 merely owning a moon rock (a moon rock not obtained by actual theft), nor did
10 they instruct the court that NASA policies do not extend to the general public.
11 Rather, Conley's statement in his affidavit suggests the opposite. He called moon
12 rocks "'natural resources' and thus, the property of the US Government."

13 36. Based on this deceptive and false information as well as material
14 omissions, as described above and below, Federal Magistrate Judge Sheri Pym
15 signed a search warrant to search Davis's person and immediate personal
16 possessions for the "Apollo 11 lunar material..." and "Any documents, records
17 and photographs showing how DAVIS came to possess the purported lunar rock
18 and/or showing her knowledge about the purported lunar rock." This search
19 warrant was thus procured by fraud and knowing omission of material
20 information and for the improper purpose of obtaining/seizing the moonrock
21 paperweight and documentation.

22 37. In part, that affidavit (ED11-0168M) misstates or wrongly
23 characterizes conversations with Ms. Davis. The affidavit suggests that Ms.
24 Davis knew it was illegal to possess the moon rock she had or that she knew the
25 moon rock had been stolen. Both inferences are false. And while Davis
26 understood that it was difficult to sell moon rocks and proving what amounts to
27 provenance, authenticity and ownership of the moon rocks, she never admitted or
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1 implied that what she had was illegal to possess. The affidavit suggests
2 otherwise.

3 j. Plaintiffs are molested, detained, and arrested.

4 38. Joann Davis was seized, arrested and/or forcibly detained by Norman
5 Conley, Thomas Reynolds, Mike Harrison and numerous Riverside County
6 Sheriff Deputies on May 19, 2011, and at such time property – a paper weight
7 with Apollo 11 moon rock flakes – that was said to be valued at 1.7 million
8 dollars was forcibly taken from her by these persons. They either personally
9 grabbed Davis, the paper weight she held, or aided and supported such efforts.
10 Paul Herman Cilley (DOB: 11/27/40) was also present with his wife at the time,
11 and he was forcibly detained and threatened. Cilley also watched his wife, Joann
12 Davis, being subjected to wrongful conduct as described herein as well as being
13 subjected to wrongful conduct himself.

14 39. These acts occurred at the Denny's on Grape Street, Lake Elsinore, in
15 Riverside County at approximately 12:30 pm on May 19, 2011.

16 k. Defendants' conduct was unreasonable.

17 40. In this case there were no facts that would lead a reasonable officer or
18 deputy or other government employee to believe that the paperweight containing
19 moon rock chips from the Apollo space program was in fact stolen. The
20 paperweight was given to Davis's husband with the authorization of NASA and
21 its officials as a memento and award for his service to the United States as part of
22 a team for North American Rockwell. Mr. Davis and plaintiff Davis were
23 married at the time that the souvenirs were awarded. Mr. Davis has subsequently
24 passed. At the time of the instant event, as well as at the time a search warrant
25 for the object was written and presented, it was known to the government
26 employees involved in this matter, as well as NASA officials and investigators,
27 that such moon rock chips incorporated in paperweight-like merit awards were
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1 routinely awarded to private persons during and shortly after the Apollo program
2 with the permission and authorization of NASA and its Supervisors and
3 managers within NASA. (Obviously these items were not stolen, and no one
4 claimed that they were at the time of their disbursement) .

5 41. The United States did not return that moon rock paperweight and
6 have not offered to return it.

7 **Count I**

8 **Violation of the Fourth Amendment to the U.S. Constitution**

9 **Federal Tort Claims Act (28 U.S.C. § 1346(b).)**

10 42. Plaintiffs allege and incorporate the allegations of all prior
11 paragraphs as if fully set forth herein.

12 43. This is an action to redress the deprivation of Plaintiffs' rights to be
13 free from physical abuse and excessive force, a right secured to them by the
14 Fourth Amendment to the United States Constitution. Ms. Davis was badly
15 bruised and her tailbone was injured. Cilley was roughly handled, threatened,
16 and manhandled.

17 44. The actions United States of America's employees, as set forth
18 above, acting in the course and scope of their employment, were a violation of
19 Plaintiffs' rights secured under the United States Constitution and of the laws of
20 the State of California.

21 45. The acts of these employees were intentional and not privileged.

22 46. The plaintiffs were harmed by these actions.

23 WHEREFORE, Plaintiffs Davis and Cilley demand judgment against The
24 United States of America for compensatory damages, interest, and costs of this
25 action.

1 Count II

2 Violation of the Fourth & Fifth Amendments to the U.S. Constitution
3 Federal Tort Claims Act (28 U.S.C. § 1346(b).)

4 47. Plaintiffs allege and incorporate the allegations of all prior
5 paragraphs as if fully set forth herein.

6 48. This is an action to redress the deprivation of Plaintiff Davis's and
7 Cilley's rights to be free from wrongful search. This right is secured to them by
8 the Fourth and Fifth Amendments to the United States.

9 49. The employees of the United States of America, as described above,
10 acting in the course and scope of their employment, searched the plaintiffs'
11 persons, residence, and vehicle; in conducting the search, these employees acted
12 intentionally. The search was unreasonable and not privileged.

13 50. As a direct and proximate result of the wrongful search of Plaintiffs,
14 Plaintiffs suffered damages in the past and will continue to suffer damages.

15 WHEREFORE, Plaintiffs Davis and Cilley demand judgment against The
16 United States of America for compensatory damages, interest, and costs of this
17 action.

18 Count III

19 Violation of the Fourth & Fifth Amendments to the U.S. Constitution
20 Federal Tort Claims Act (28 U.S.C. § 1346(b).)

21 51. Plaintiffs Davis alleges and incorporates the allegations of all prior
22 paragraphs as if fully set forth herein.

23 52. This is an action to redress the deprivation of Plaintiff Davis's right
24 to be free from wrongful taking. This right is secured to her by the Fourth and
25 Fifth Amendments to the United States.

26 53. The employees of the United States of America, as described above,
27 acting within the Course and scope of their employment, seized Mrs. Davis's
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1 property; in seizing the plaintiff's property, these employees acted intentionally.
2 The seizure was unreasonable and unprivileged.

3 54. As a direct and proximate result of the wrongful taking of Plaintiff's
4 property, Plaintiff suffered damages in the past and will continue to suffer
5 damages.

6 WHEREFORE, Plaintiffs Davis demands judgment against The United
7 States of America for compensatory damages, interest, and costs of this action.

8 **Count IV**

9 **Violation of the Fourth & Fifth Amendment to the U.S. Constitution**

10 **Federal Tort Claims Act (28 U.S.C. § 1346(b).)**

11 55. Plaintiff Davis and Cilley allege and incorporate the allegations of
12 all prior paragraphs as if fully set forth herein.

13 56. This is an action to redress the deprivation of Plaintiffs' right to be
14 free from wrongful detention and arrest. This right is secured to them by the
15 Fourth and Fifth Amendments to the United States.

16 57. The employees of the United States of America, as described above,
17 acting in the course and scope of their employment, wrongfully and without
18 sufficient cause detained and arrested Plaintiffs, and the detention and arrest was
19 unduly prolonged and excessive in nature; in wrongfully detaining and arresting
20 Plaintiffs, and detaining and arresting them excessively and for an unduly
21 prolonged amount of time, these employees violated the constitutional rights of
22 Plaintiffs.

23 58. These employees of The United States of America acted
24 intentionally. The the detentions and arrests were unreasonable.

25 59. As a direct and proximate result of the Plaintiffs' detentions and
26 arrests, Plaintiffs suffered damages in the past and will continue to suffer
27 damages.

1 not be lawfully sold, bought, or possessed by private citizens.

2 66. This claim has showed up in various internet outlets, as well as
3 mainstream media publications. Representative samples of this claim appear in
4 the *Book Sex on the Moon: The Amazing Story Behind the Most Audacious Heist*
5 *in History*, by Ben Mezrich (Doubleday 2011); *Finding lost moon rocks is his*
6 *mission*, Molly Hennessy-Fiske (Los Angeles Times (online) February 07,
7 2012); *Astronauts, Cronkite to get moon rock plaques*, James Oberg
8 (NBCNews.com, July 16, 2004) *Cronkite on space: inspiration, not information*,
9 James Oberg (<http://www.thespacereview.com/article/570/1>; March 6, 2006).

10 67. No law prohibits possession or sale or purchase of moon rocks.

11 68. This publication played a material and substantial part in inducing
12 others not to negotiate with Joann Davis over the moon rock, nor buy it.

13 69. As a consequence, Joann Davis has been damaged in the amount of
14 1.7 million dollars.

15 WHEREFORE, Plaintiff Davis demands judgment against the United
16 States of America in the amount of 1.7 million dollars, plus costs of suit.

17 **Count VII**

18 **Federal Common Law: battery**

19 **Federal Tort Claims Act (28 U.S.C. § 1346(b).)**

20 70. Plaintiffs Davis and Cilley allege and incorporate the allegations of
21 all prior paragraphs as if fully set forth herein.

22 71. Employees of the United States of America and NASA, acting
23 within the course and scope of their employment, wrongfully and without
24 privilege offensively touched the plaintiffs.

25 72. As a consequence, plaintiffs Davis and Cilley have been harmed.

26 WHEREFORE, Plaintiffs Davis and Cilley demand judgment of
27 compensatory damages against the United States of America, plus costs of suit.

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Count VIII

Petition for Return of Property

(Federal Rules of Criminal Procedure 41(g))

73. Plaintiff Davis alleges and incorporates the allegations of all prior paragraphs as if fully set forth herein.

74. The search and seizure that resulted in the taking of Joann Davis's moon rock and heat-shield fragment was unlawful, and she was wrongfully deprived of her property.

WHEREFORE, Joann Davis demands return of her property from the United States of America.

Count IX

Violation of the Fourth Amendment to the U.S. Constitution
(Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotic)

75. Plaintiffs Davis and Cilley allege and incorporate the allegations of all prior paragraphs as if fully set forth herein.

76. This is an action to redress the deprivation of Plaintiffs' rights to be free from physical abuse and excessive force, a right secured to them by the Fourth Amendment to the United States Constitution.

77. The actions Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 were a violation of Plaintiffs' rights secured under the United States Constitution and of the laws of the State of California. These actions are the wrongful detention and arrest of the persons of the plaintiffs. Joann Davis was badly bruised and her tailbone was injured. Cilley was manhandled and threatened. The actions of the defendants was unreasonable.

78. Norman Conley, Thomas Reynolds, Mike Harrison, Robert

1 Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 were
2 intentional.

3 79. The plaintiffs have no statutory remedy against these Defendants
4 Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia
5 Searle, and Gary Lofgren, and Does 1 through 10.

6 WHEREFORE, Plaintiffs Davis and Cilley demand judgment against
7 Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia
8 Searle, and Gary Lofgren, and Does 1 through 10 for compensatory damages,
9 punitive damages, interest, and costs of this action, as well as a jury trial.

10 **Count X**

11 **Violation of the Fourth & Fifth Amendments to the U.S. Constitution**

12 ***(Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotic)***

13 80. Plaintiffs allege and incorporate the allegations of all prior
14 paragraphs as if fully set forth herein.

15 81. This is an action to redress the deprivation of Plaintiff Davis's and
16 Cilley's rights to be free from wrongful search and seizure. This right is secured
17 to them by the Fourth and Fifth Amendments to the United States.

18 82. Norman Conley, Thomas Reynolds, Mike Harrison, Robert
19 Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 searched the
20 plaintiffs' persons, residence, and vehicle; in conducting the search, Defendants
21 acted intentionally; and the search was unreasonable.

22 83. As a direct and proximate result of the wrongful acts of Plaintiffs,
23 Plaintiffs suffered damages in the past and will continue to suffer damages.

24 WHEREFORE, Plaintiffs Davis and Cilley demand judgment against
25 Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia
26 Searle, and Gary Lofgren, and Does 1 through 10 for compensatory damages,
27 punitive damages, interest, and costs of this action, as well as a jury trial.

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1 Count XI

2 Violation of the Fourth & Fifth Amendments to the U.S. Constitution

3 *(Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotic)*

4 84. Plaintiff Davis alleges and incorporates the allegations of all prior
5 paragraphs as if fully set forth herein.

6 85. This is an action to redress the deprivation of Plaintiff Davis's right
7 to be free from wrongful taking. This right is secured to her by the Fourth and
8 Fifth Amendments to the United States.

9 86. Norman Conley, Thomas Reynolds, Mike Harrison, Robert
10 Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 , and DOES
11 1 through 10 seized the plaintiff's property; in seizing the plaintiff's property,
12 Defendants Norman Conley, Thomas Reynolds, Mike Harrison, and DOES
13 1 through 10 acted intentionally; and the seizure was unreasonable.

14 87. As a direct and proximate result of the wrongful taking of Plaintiff's
15 property, Plaintiff suffered damages in the past and will continue to suffer
16 damages.

17 WHEREFORE, Plaintiffs Davis and Cilley demand judgment against
18 Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia
19 Searle, and Gary Lofgren, and Does 1 through 10 for compensatory damages,
20 punitive damages, interest, and costs of this action, as well as a jury trial

21 Count XII

22 Violation of the Fourth & Fifth Amendment to the U.S. Constitution

23 *(Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotic)*

24 88. Plaintiff Davis and Cilley allege and incorporate the allegations of
25 all prior paragraphs as if fully set forth herein.

26 89. This is an action to redress the deprivation of Plaintiffs' right to be
27 free from wrongful detention and arrest. This right is secured to them by the
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1 Fourth and Fifth Amendments to the United States.

2 90. Defendants Norman Conley, Thomas Reynolds, Mike Harrison, Robert
3 Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 and DOES
4 1 through 10 wrongfully and without sufficient cause detained and arrested
5 Plaintiffs, and the detention and arrest was unduly prolonged and excessive in
6 nature; in wrongfully detaining and arresting Plaintiffs, and detaining and
7 arresting them excessively and for an unduly prolonged amount of time.

8 91. Defendants Norman Conley, Thomas Reynolds, Mike Harrison,
9 Robert Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 acted
10 intentionally; and the detentions and arrests were unreasonable.

11 92. As a direct and proximate result of the Plaintiffs' detentions and
12 arrests, Plaintiffs suffered damages in the past and will continue to suffer
13 damages.

14 WHEREFORE, Plaintiffs Davis and Cilley demand judgment against
15 Defendants Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt,
16 Patricia Searle, and Gary Lofgren, and Does 1 through 10 for compensatory
17 damages, punitive damages, interest, costs of this action and attorney's fees as
18 provided in 42 USC § 1988.

19
20 **PRAYER**

21 WHEREFORE, the Plaintiffs pray that his Court enter a judgment against
22 the United States of America and grant the following relief:

23 a. (Counts I-II, IV, VII): Compensatory damages, in an amount of no
24 less than \$50,000.00;

25 b. (Counts III, V-VI): Compensatory damages, in an amount of no less
26 than \$1,700,000;

27 c. (Count VIII) Order the return of the moon rock souvenirs seized
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from Joann Davis;

d. Costs of suit;

e. Award such other and further relief that this court deems proper.

WHEREFORE, the Plaintiffs pray that his Court enter a judgment against jointly and severally against defendants Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia Searle, and Gary Lofgren, and Does 1 through 10 and grant the following relief:

a. (Counts IX-X, XII): Compensatory damages, in an amount of no less than \$50,000.00;

b. (Count XI): Compensatory damages in the amount of 1.7 million dollars;

c. (Counts IX-XII): Punitive damages, in an amount of no less than \$50,000 from each individual defendant;

d. Costs of suit;

e. Award such other and further relief that this court deems proper.

Date: March 14, 2013

SCHLUETER & SCHLUETER

By: _____

Attorneys for Plaintiffs
Jon R. Schlueter/Peter Schlueter

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JURY DEMAND

Plaintiff hereby demands jury trial as provided by Rule 38(a) of the Federal Rules of Civil Proc. on the *Bivens* claims.

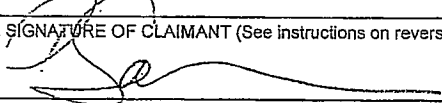
Date: March 7, 2012

SCHLUETER & SCHLUETER

By:  _____

Attorneys for Plaintiffs
Jon R. Schlueter/Peter Schlueter

Federal Tort Claim

CLAIM FOR DAMAGE, INJURY, OR DEATH		INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency: NASA			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code. Joann Davis, 15271 Alavarado, Lake Elsinore, 92530 Peter Schlueter, Schlueter & Schlueter 108 Orange St #8, Redlands CA 92373		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN		4. DATE OF BIRTH 06/04/1937	5. MARITAL STATUS married	6. DATE AND DAY OF ACCIDENT 05/19/2011	7. TIME (A.M. OR P.M.) 12:00pm
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary). [Synopsis only] The injuries & damages suffered by Joann Davis began on May 10, 201 when she contacted NASA, and led to her being forcibly detained by NASA OIS agents in the City of lake Elsinore, CA on May 19. During that det/arrest a paperweight containing moonrock chips was forcibly seized. It has not been returned. NASA OIS agents used criminal process knowing that such process was inappropriate since they lacked sufficient information that her possession of the moonrock paperweight came within the elements of a criminal violation. See attached for additional facts and assertions. [See attached pages]					
9. PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code). N/a					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side). [synopsis only] One Lucite paperweight with moonrock chips (seized on May 19, 2011 and possessed by NASA) see attached					
10. PERSONAL INJURY/WRONGFUL DEATH					
STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT. Ms Davis suffered injury to his arms and back. A more complete description is contained in the medical records that are attached.					
11. WITNESSES					
NAME			ADDRESS (Number, Street, City, State, and Zip Code)		
see attached					
12. (See instructions on reverse). AMOUNT OF CLAIM (in dollars)					
12a. PROPERTY DAMAGE 1,700,000		12b. PERSONAL INJURY 17,000,000		12c. WRONGFUL DEATH	
				12d. TOTAL (Failure to specify may cause forfeiture of your rights). 18,700,000	
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side). 			13b. PHONE NUMBER OF PERSON SIGNING FORM 909 381-4688		14. DATE OF SIGNATURE 5-18-12
CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM			CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS		
The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).			Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)		

INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident insurance? Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. No
 N/a this is not an accident. Health insurance, medicare and United Health Care,

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? Yes No 17. If deductible, state amount.
 United Health insurance, medicare. 0.00

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).
 n/a

19. Do you carry public liability and property damage insurance? Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). No
 n/a

INSTRUCTIONS

Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.

Complete all items - Insert the word NONE where applicable.

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY

DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.

Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

The amount claimed should be substantiated by competent evidence as follows:

If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

The claim may be filled by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.

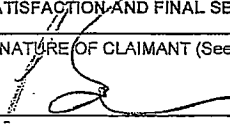
PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.
 A. *Authority:* The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. *Principal Purpose:* The information requested is to be used in evaluating claims.
 C. *Routine Use:* See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.
 D. *Effect of Failure to Respond:* Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."

PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.

CLAIM FOR DAMAGE, INJURY, OR DEATH		INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.			FORM APPROVED OMB NO. 1105-0008
1. Submit to Appropriate Federal Agency: NASA			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code. Paul Herman Cilley, 15271 Alavarado, Lake Elsinore, 92530 Peter Schlueter, Schlueter & Schlueter 108 Orange St #8, Redlands CA 92373		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY. <input type="checkbox"/> CIVILIAN	4. DATE OF BIRTH	5. MARITAL STATUS married	6. DATE AND DAY OF ACCIDENT 05/19/2011	7. TIME (A.M. OR P.M.) 12:00pm	
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary). [Synopsis only] Cilley was forceably detained by persons unknown from NASA and the Riverside Sheriff's Department and watched his wife as she was detained, arrested, assaulted by officers, and as described in attached pages.					
9. PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code). N/a					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side). see attached					
10. PERSONAL INJURY/WRONGFUL DEATH					
STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT. See Attached					
11. WITNESSES					
NAME		ADDRESS (Number, Street, City, State, and Zip Code)			
see attached					
12. (See instructions on reverse). AMOUNT OF CLAIM (in dollars)					
12a. PROPERTY DAMAGE 850,000.00	12b. PERSONAL INJURY 1,700,000	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights). 2,550,000		
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side). 			13b. PHONE NUMBER OF PERSON SIGNING FORM 909 381-4888	14. DATE OF SIGNATURE 5-16-12	
CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).			CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)		

INSURANCE COVERAGE	
In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.	
15. Do you carry accident insurance? <input checked="" type="checkbox"/> Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. <input type="checkbox"/> No n/a	
16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	17. If deductible, state amount. 0.00
18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts). n/a	
19. Do you carry public liability and property damage insurance? <input type="checkbox"/> Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). <input type="checkbox"/> No n/a	
INSTRUCTIONS	
<p>Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.</p> <p style="text-align: center;">Complete all items - Insert the word NONE where applicable.</p>	
<p>A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY</p> <p>Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.</p> <p>If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.</p> <p>The claim may be filled by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.</p> <p>If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.</p>	<p>DAMAGES IN A <u>SUM CERTAIN</u> FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN <u>TWO YEARS</u> AFTER THE CLAIM ACCRUES.</p> <p>The amount claimed should be substantiated by competent evidence as follows:</p> <p>(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.</p> <p>(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.</p> <p>(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.</p> <p>(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.</p>
PRIVACY ACT NOTICE	
<p>This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.</p> <p>A. <i>Authority:</i> The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.</p>	<p>B. <i>Principal Purpose:</i> The information requested is to be used in evaluating claims.</p> <p>C. <i>Routine Use:</i> See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.</p> <p>D. <i>Effect of Failure to Respond:</i> Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."</p>
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<p>This notice is <u>solely</u> for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.</p>	

Power of Attorney

UNIFORM STATUTORY FORM POWER OF ATTORNEY
(California Probate Code Section 4401)

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT (CALIFORNIA PROBATE CODE SECTIONS 4400-4465). THE POWERS LISTED IN THIS DOCUMENT DO NOT INCLUDE ALL POWERS THAT ARE AVAILABLE UNDER THE PROBATE CODE. ADDITIONAL POWERS AVAILABLE UNDER THE PROBATE CODE MAY BE ADDED BY SPECIFICALLY LISTING THEM UNDER THE SPECIAL INSTRUCTIONS SECTION OF THIS DOCUMENT. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I JOAN L. DAVIS 15271 Alvarado St Lake Elsinore CA 92530
(your name and address)

appoint PETER SCHWUETER / GON SCHWUETER (Attys)
(name and address of the person appointed, or of each person appointed if you want to designate more than one)

as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS.

TO GRANT ONE OR MORE, BUT FEWER THAN ALL, OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING.

TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

INITIAL

- (A) Real property transactions.
- (B) Tangible personal property transactions.
- (C) Stock and bond transactions.
- (D) Commodity and option transactions.
- (E) Banking and other financial institution transactions.
- (F) Business operating transactions.
- (G) Insurance and annuity transactions.
- (H) Estate, trust, and other beneficiary transactions.
- (I) Claims and litigation.
- (J) Personal and family maintenance.

JLD

JLD

— (K) Benefits from social security, medicare, medicaid, or other governmental programs, or civil or military service.

— (L) Retirement plan transactions.

— (M) Tax matters.

— (N) ALL OF THE POWERS LISTED ABOVE.

YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).

SPECIAL INSTRUCTIONS:

ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT.

UNLESS YOU DIRECT OTHERWISE ABOVE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

This power of attorney will continue to be effective even though I become incapacitated.

STRIKE THE PRECEDING SENTENCE IF YOU DO NOT WANT THIS POWER OF ATTORNEY TO CONTINUE IF YOU BECOME INCAPACITATED.

EXERCISE OF POWER OF ATTORNEY WHERE MORE THAN ONE AGENT DESIGNATED

If I have designated more than one agent, the agents are to act

Separately or as a law firm

IF YOU APPOINTED MORE THAN ONE AGENT AND YOU WANT EACH AGENT TO BE ABLE TO ACT ALONE WITHOUT THE OTHER AGENT JOINING, WRITE THE WORD "SEPARATELY" IN THE BLANK SPACE ABOVE. IF YOU DO NOT INSERT ANY WORD IN THE BLANK SPACE, OR IF YOU INSERT THE WORD "JOINTLY", THEN ALL OF YOUR AGENTS MUST ACT OR SIGN TOGETHER.

I agree that any third party who receives a copy of this document may act under it. A third party may seek identification. Revocation of the power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

Signed this 3rd day of April, 2012

9/18

Joann L. Davis
(your signature)
County of San Bernardino

State of California

BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT.

[Include certificate of acknowledgment of notary public in compliance with Section 1189 of the Civil Code or other applicable law.]

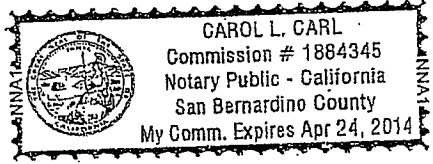
State of California
County of San Bernardino
On 04-3-2012 before me, Carol L. Carl - Notary Public

personally appeared Joann L. Davis
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~was~~ subscribed to the within instrument and acknowledged to me that he ~~she~~ they executed the same in his ~~her~~ their authorized capacity(ies), and that by his ~~her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

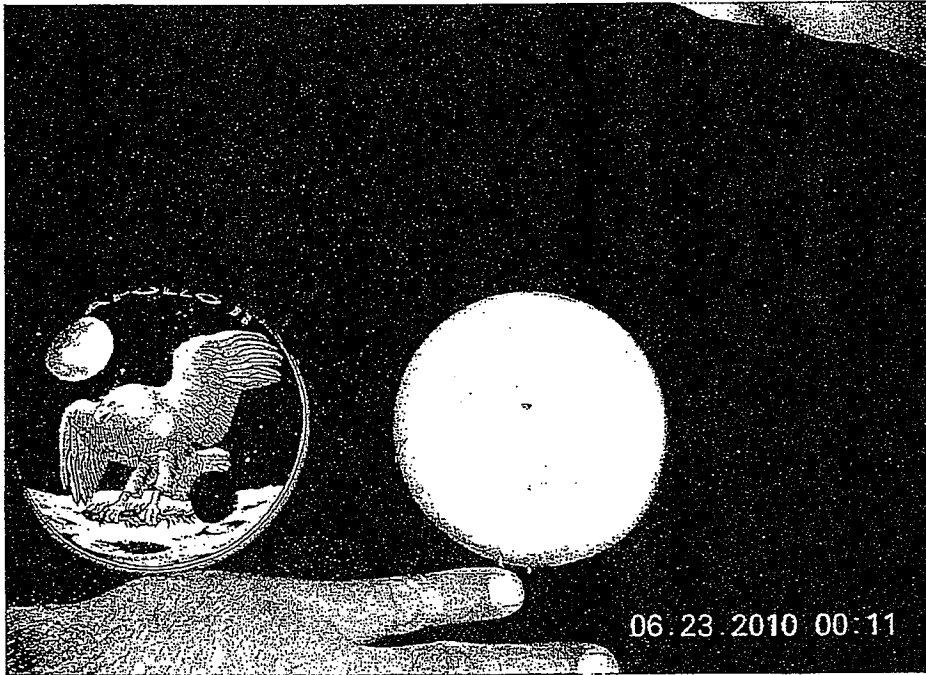
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.
Carol L. Carl
Signature of Notary

(Seal)



GLC



Photograph of
Apollo 11 heatshield paperweight
and moonrock chip paperweight.

CLAIM for Damages and Relief

Page: 1

Situs of Claim: unknown

POTENTIAL DEFENDANTS

NASA / US Government

Norman D. Conley

Gary Lofgren (Lunar receiving lab administrator)

Protective Security Officer Robert Schmidt

Resident Agent-in-Charge Patricia Searle of the NASA-OIG, Kennedy Space Center Office.

Unknown NASA OIS supervisor (who approved and supervised action)

Unknown NASA OIS administrator (who approved and supervised action)

Unknown NASA OIS agent 1

Unknown NASA OIS agent 2

Unknown NASA OIS agent 3

Unknown NASA OIS agent 4

FACTUAL INTRODUCTION

Joann Davis was, at the time of this incident (May 19, 2011), a 4' 11", 74-year-old retiree. She had retired from North American Rockwell in 1992. She has not been employed by any aerospace contractor or any government agency since that time. Her husband Robert Davis had also been an employee at North American Rockwell until his death on February 5, 1986. These facts were known and were verifiable by the defendants in this matter.

Robert Davis was a engineer who had worked on various space programs, including the Apollo missions, for North American Rockwell. At no time did he or Joann Davis work directly for NASA. That is, they were not NASA employees. Neither had access to the NASA Lunar Receiving Lab where moon rocks and lunar samples were kept. These facts were known and were verifiable by the defendants in this matter.

In the early 70s, Robert Davis received two awards, both fashioned as paper weights, that were meant to recognize his contributions in the Apollo 11 moon landing program. One of these Lucite (or like plastic/polymer) paper weights contained a small portion of the Apollo 11 heat shield, the other was said to have contained small fragments (the size of pieces of rice) of lunar material (a.k.a.

CLAIM for Damages and Relief

Page: 2

moonrocks) brought back by the Apollo 11 mission. (Attached photos) Plaintiff is informed and believes that NASA and its administrators authorized the practice of giving out these awards and that this practice was widespread. These moonrocks given out were *not* part of the "Goodwill" moonrocks provided by the United States to other nations and our various states. These facts were known and were verifiable by the defendants in this matter.

Plaintiff is informed and believes that in the late 60s or early 70s, NASA approved the practice that allowed small chips of moon rocks and/or pieces of space craft heatshield to be embedded in Lucite or other like polymer to be provide as souvenir awards to deserving individual employees of aerospace contractors. These facts were known and were verifiable by the defendants in this matter.

The Lucite (or like polymer) encased heatshield and moonrocks were community property as they were acquired during the course of Robert and Joann Davis' legal marriage and stayed with the estate/community when Robert Davis passed.

In and around the spring of 2011, JoAnn Davis sought to sell or otherwise find a buyer for the Apollo 11 heatshield and moonrock paperweights given to her husband for his service. She did so mainly because she was living on a fixed income, was having trouble making ends meet, and moreover sought to care for her ailing adult son. **This was known to the defendants in this matter.**

After several failed attempts to find buyers and/or auction houses who would accept the souvenirs, she discovered that the auction houses believed that NASA and the federal government had made it nearly impossible for private persons to acquire, sell or possess Apollo program moonrocks. The reasons for this interference were murky. The U.S. government has made, through various media outlets, vague claims that Apollo moonrocks are "national treasures" that cannot be sold, or cannot be sold legally, or cannot be lawfully possessed by individuals. Notwithstanding their knowledge to the contrary, and contrary practice, NASA spokespersons and personnel have stated to media outlets that *no* lunar sample, not even chips (as was in the paperweights at issue here), have *ever* been given to individuals. These acts have been ongoing for at least a decade and continue to date. These facts (including NASA's dissemination of false statements) were known by the defendants in this matter.

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Furthermore, contrary to NASA and its agents and personnel's statements, no law forbids the private ownership of Apollo moonrocks lawfully acquired. Nor is there a law that states that a "national treasure" can not be possessed or sold.

Nevertheless, the US government and NASA repeatedly state that the permanent possession of *any* Apollo lunar sample by an individual no matter when and how acquired is a criminal act. They do so without the benefit of fact or law.

By providing this false information about the state of the law and the propriety of legal ownership of moonrocks (or chips therefrom), and denying that NASA authorized and practiced giveaways of lunar material as described above, NASA knowingly injures property and the possessory rights of individuals.

NASA intentionally releases and disseminates this misinformation through its personnel to individuals, and the media with the aim of ruining the market value of such items, clouding the title or provenance of such objects, or silencing persons who may have moonrocks from coming forward. Davis is informed and believes that NASA and its personnel, including the defendants, have continued to disseminate this false information through media outlets. The fact that this misinformation is intentionally disseminated for public consumption is known by the defendants in this matter.

During her attempts to find a buyer for the heatshield or moonrock paperweights, Davis was *not* told that it violated criminal law, or was in anyway illegal, to own, possess or attempt to sell (or buy) such paperweights. Neither was she told that she did not have title and possessory rights to the paperweights at issue. Thus, Davis did not believe or suspect, that it violated criminal law to own, possess or attempt to sell (or buy) such paperweights,, nor did she believe or suspect that she did not have title and possessory rights to the paperweights at issue. Further, she did not tell anyone it was illegal to own those items. Rather she knew, and divulged to the defendants in this matter, that the paperweights containing the heatshield and the moonrocks had come into her possession legitimately, as described above, and thus were not stolen. The defendants in this matter, by and through their "confidential" informant/agent did not inform her that it was a crime to own or attempt to sell such items.

No facts that rose to the level of probable cause existed to suggest that Davis had committed any crime, let alone theft or receipt of stolen US property (a.k.a. the

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paperweights at issue). No facts that rose to the level of probable cause existed to suggest that Davis knew, believed, or suspected, that her husband had committed any crime, let alone theft or receipt of stolen of U.S. property (a.k.a. the paperweights at issue). This was known to the defendants in this matter.

In addition, no defendant in this matter had or has information that rises to the level of probable cause that the Apollo 11 heatshield or moonrock paperweight that Davis possessed was stolen or otherwise obtained through theft or any other criminal act.

Nevertheless, having no luck finding a buyer in the private sector, Davis contacted NASA in the hope that it might be able to aid her in the sale of the paperweights and other memorabilia her family had collected over the years. She was informed by NASA that a representative of NASA might aid her. On May 10, 2011, Davis wrote that representative, Ms. Renee Allen, an email stating:

"... Ms Allen, My name is Joann DAVIS and I live in California. I've been searching the internet for months attempting to find someone that could help me find a buyer for 2 rare Apollo 11 space artifacts. 1. An Apollo 11 Moon Rock and 2. A piece of the Apollo 11 Heat Shield. Both of these items were given to my husband by Neil Armstrong. My husband was very instrumental in all of the space programs right up until his death in February of 1986. He died one week after the Challenger Tragedy. If you have any thoughts as to how I can proceed with the sale of these two items, please call or email me. Joann L. DAVIS - Ph: 951 674.1320 ... email address: DAVISjlc@verizon.net Any help or information would be greatly appreciated ... Thank you"

This email was provided to the defendants before their wrongful actions in this matter. That is, Davis is informed (as acknowledged in the affidavit to a search warrant authored by defendant Conley) that Renee Allen forwarded this information, including the Davis email [cited above] to Kennedy Space Center Protective Security Officer Robert Schmidt and Resident Agent-in-Charge Patricia Searle of the NASA-OIG, Kennedy Space Center Office.

Davis is informed (as acknowledged in the affidavit to a search warrant authored by defendant Conley) that Norman D. Conley, a Special Agent and Criminal

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Investigator for the National Aeronautics and Space Administration, Office of the Inspector General (NASA-OIG), assigned at the time at the Kennedy Space Center, began or participated in an investigation of Joann Davis:

Davis is informed (as acknowledged in the affidavit to a search warrant authored by defendant Conley) that Conley had reason to believe that the paperweight Davis sought to sell was indeed a real Apollo 11 moonrock artifact. That is, he *neither* believed or suspected that Davis was engaged in attempting to sell a counterfeit. He has stated that he came to this conclusion because he recognized Davis' reference to a "heat shield" (*souvenir paperweight*) which he thought lent legitimacy to the email because he knew that heatshields (*souvenir paperweights*) did in fact exist and were distributed to key individuals.

Davis is informed (as acknowledged in the affidavit to a search warrant authored by defendant Conley) that Conley said he used a non-law enforcement source [UNKNOWN NASA OIS AGENT 1] to contact Davis in California by phone. On or about May 10, 2011, this alleged CI did contact Davis by phone. Unknown to Davis, these calls were recorded except, allegedly, for the first call. The calls were alleged to have originated from Florida.

During these conversations, Davis recounted how she came to possess the heatshield and moonrock paperweights as well as other facts as stated above. See also, the attached affidavit for search warrant (ED11-0168M). That information was provided to Conley before he sought a search warrant.

On or about May 19, 2012 Conley sought and obtained a search warrant to seize:

- a. The purported Apollo 11 lunar material offered for sale by DAVIS as shown on the right side of Exhibit 1 attached to this affidavit; [*Davis Moon rock*]
- b. Any documents, records, and photographs showing how DAVIS came to possess the purported lunar rock and/or showing her knowledge about the purported lunar rock."

In that affidavit, Conley stated that they were investigating the crime of possession of stolen property. To support that statement, and allege probable cause for the

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search of Davis' person and seizure of the moonrock paperweight, Conley quoted Gary Lofgren, a NASA employee, who had informed him that it was against NASA policy to permanently release lunar samples to any individual. The affidavit went on to identify that policy as NASA Policy Directive 1387.2f.

Both Lofgren nor Conley knew, but neither divulged to the magistrate, that NASA policy in question came into three decades after Joann Davis' family had acquired the moonrock paperweight. Lofgren and Conley knew but did not so inform the court that no law criminalized the practice of merely owning a moonrock (a moonrock not obtained by actual theft), nor did instruct the court that NASA policies do not extend to the general public. Rather, Conley's statement in his affidavit suggests the opposite. He called moonrocks "'natural resources' and thus, the property of the US Government."

Based on this deceptive and false information as well as material omissions, as described above and below, Federal Magistrate Judge Sheri Pym, signed a search warrant to search Davis' person for the "Apollo 11 lunar material..." and "Any documents, records and photographs showing how DAVIS came to possess the purported lunar rock and/or showing her knowledge about the purported lunar rock." This search warrant was thus procured by fraud and knowing omission of material information and for the improper purpose of obtaining/seizing the moonrock paperweight and documentation.

In part, that affidavit (ED11-0168M) misstates or wrongly characterizes conversations with Ms. Davis. The affidavit suggests that Ms. Davis knew it was illegal to possess the moonrock she had or that she knew the moon rock had been stolen. Both inferences are false, and while Davis understood that it was difficult to sell moonrocks and proving what amounts to provenance, authenticity and ownership of the moonrocks, she never admitted or inferred that what she had was illegal to possess. The affidavit suggests otherwise.

On or about May 19, 2011, possibly "UNKNOWN NASA OIS AGENT 1" called Davis and told her to meet him at a Denny's Restaurant in the City of Lake Elsinore. He had negotiated to pay Davis \$1.7 million for the moonrock paperweight.

Davis arrived at Denny's with her second husband Paul Herman Cilley. Upon sitting down at the Denny's Restaurant booth, "UNKNOWN NASA OIS AGENT

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1 or UNKNOWN NASA OIS AGENT 2" asked to look at the moonrock paperweight. Davis removed it from her purse and wrapping and was in the process of handing it to him when it was forcibly taken from her and she was pulled from the booth. None of the individuals identified themselves as law enforcement officers. She was harmed physically during this seizure and search. Davis was treated for her physical injuries at Inland Valley Medical Center (records attached).

Davis, and Cilley were then removed from the restaurant and taken outside. UNKNOWN NASA OIS AGENT 1 or 2 detained and interrogated Davis continuously for over two hours. Davis asked repeatedly to be free from custody. That request was denied.

Members of the Riverside Sheriff Department aided in the seizure, and her removal from Denny's and the detention at the request of NASA AGENTS and the defendants. It is believed that NASA and its agents did not admit the full infirmity of their acts to these deputies. Also present, and taking part in the acts at Denny's herein described were Unknown NASA OIS AGENT 2, 3 and 4. The trauma and fear created by the public detention and arrest caused her to urinate on herself. This further humiliated her.

Davis and her husband were held for hours. Law enforcement officers and NASA personnel searched her purse and car. While she was in custody, law enforcement officers and NASA personnel demanded that they be allowed to search her home. Davis and Cilley consented under duress. The home was searched. No evidence of criminal conduct or contraband was found.

NASA, Conley and Lofgren, seized the moonrock paperweight belonging to Davis, and have exercised dominion and control over it and have not returned it to her. In addition, before and after seizing the moonrock paperweight, NASA and the US Government, have wrongfully failed to provide due process to Ms. Davis. This includes the failure of NASA to institute asset forfeiture procedure and/or proceedings post seizure; and wrongfully utilizing criminal search and seizure process when it was inapplicable rather than allow Davis to contest the government's right to seize the property pre-seizure. Thus, NASA wrongfully eschewed applicable due process to take Davis' property. Such violations continue to date.

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Davis and Cilley allege wrongful and/or false imprisonment and false arrest; and that to attempt to justify such false imprisonment and false arrest, an invalid search warrant was requested and issued that contained deliberate falsehoods and material omissions.

The conduct of NASA agents, Conley and Lofgren's, caused Davis and Cilley harm both in body, and physical pain and discomfort, and in mind, by causing humiliation, fear and anguish over the very public arrest, or in the case of Cilley, detention. The couple have also been held up to critical public examination after the detention and arrest was publicized by NASA and the defendants. In addition, said AGENTS and persons deliberately abused process by utilizing a criminal procedure (search warrant) to affect what amounted to a civil matter (the seizure and the determination of the disposition of property).

The conduct engaged in by CONLEY and LOFGREN and UNKNOWN AGENTS 1 and 2 was so egregious to represent IISED and NISED. Their conduct interfered, or aided in the interference, with claimants possessory rights of the moonrock chip paperweight which was lawfully owned by Davis.

Such conduct also violated Davis and Cilley's civil rights to hold property without fear that government would take it without due process of law and to engage in lawful commerce, and to be free from unreasonable search and seizure as well as excessive force.

The ongoing conduct by NASA and the defendants that sought to disseminate false information about the ownership or moonrocks, whether they were "national treasures" and therefore illegal to own, wrongfully sought to ruin the provenance and value of the moonrock paperweights and moonrock gifts. This affected Davis and others so situated.

Finally, both Davis and Cilley were disturbed, shocked and severely distressed by the conduct of NASA and the defendants as described herein towards their spouse as they personally witnessed. This includes, but is not limited to, the actual physical search and seizure as described herein, as well as the accusations of criminality made against Davis, made directly by the defendants and indirectly through media outlets, as well as holding the couple up to public ridicule.

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Supervisory liability

Unknown NASA OIS supervisor (who approved and supervised action)
Unknown NASA OIS administrator (who approved and supervised action) are liable to Davis and Cilley because they allowed, or authorized, or even participated in the acts as referenced herein to occur; and/or knowingly concealed material facts, that would have ended this investigation and allegation of criminal conduct by Davis, or at least ultimately stopped the harm caused to both Davis and Cilley.

DEMAND AND COMPENSATION AND RELIEF SOUGHT

Joann Davis

Ms. Davis seeks compensation because of the wrongful acts by NASA/ US Government, CONLEY, LOFGREN, UNKNOWN NASA OIS AGENTS 1-4, Protective Security Officer Robert Schmidt, Resident Agent-in-Charge Patricia Searle of the NASA-OIG, Kennedy Space Center Office; Unknown NASA OIS supervisor (who approved and supervised action); Unknown NASA OIS administrator (who approved and supervised action) who she alleges violated her 4th and 5th Amendment Constitutional rights by wrongfully seizing her property (Moonrock paperweight), seizing her, including using excessive force, excessively detaining and/or arresting her, and then continuing this violation by wrongfully searching her home and personal property, as well as seeking to interfere with or devalue her property rights in the moonrock paperweight. This, in part, is commonly called a BIVENS action, as well as an action for conversion, replevin, and injunctive relief, as well other causes of action reasonably inferred by the facts above. INJURIES: As a direct results of the wrongful acts of the above named individuals Davis claims that she was injured in her personal dignity, emotional well being, finances, and physical well being. Part of the money she expected to receive from the sale of the objects was to care for her son who was both medical and mentally infirmed. The loss of this care and the security that these funds would have provided contributed to his death in 2012. His loss weighs heavily on Davis. In addition, the acts of these individuals and NASA have harmed her ability to openly possess and sell her lawfully acquired property and has held her up to public ridicule and embarrassment.

Amount of compensation sought: This claim is for an amount of 10 times the promised purchase amount for the moonrock Lucite paperweight that NASA coveted above Ms. Davis' constitutional rights, \$17,000,000 plus the value of the

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moonrock itself if it is not returned (\$1.7 million). (Total 18,700,000.) This includes the value for emotional distress, loss of consortium, as well as special damages by way of medical costs equaling:

Return of her property to Joann Davis: One paperweight containing moonrock chips as acquired by Apollo 11 astronauts.

Injunctive or other relief: Cease and desist from the disinformation and correct through all appropriate means that disinformation, including providing true information to media outlets about the private ownership of Apollo 11 moonrocks. This should include divulging the history of how those moonrock awards were given away, and where possible, identify to whom such items were given. NASA should not seek to interfere with the provenance of this or other moonrocks that have been given out through the auspices of NASA personnel, and aid in proving the provenance where possible.

Paul Cilley

Mr. Cilley was injured and seeks compensation because of the wrongful acts by NASA/ US Government, CONLEY, LOFGREN, UNKNOWN NASA OIS AGENTs 1-4, Protective Security Officer Robert Schmidt, Resident Agent-in-Charge Patricia Searle of the NASA-OIG, Kennedy Space Center Office; Unknown NASA OIS supervisor (who approved and supervised action); Unknown NASA OIS administrator (who approved and supervised action), who violated his 4th and 5th Amendment Constitutional rights by wrongfully seizing him, including by using excessive force and impermissible threat of force, and then continuing this violation by wrongfully searching his home and personal property. This, in part, is commonly called a BIVENS action. INJURIES: As a direct results of the wrongful acts of the above named individuals Mr. Cilley claims that he was injured in his personal dignity, emotional well being, was held to ridicule and embarrassment

Amount of compensation sought: This claim is for an amount of \$1,000,000 for Mr. Cilley.

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More...

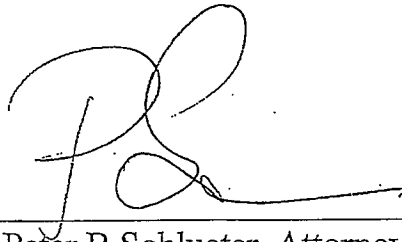
ACCOMPANYING DOCUMENTATION

Search warrant, affidavit and return: ED-11-0168M, US of America v Joann L Davis. DOB XX-XX-1937, Riverside County, CA, affiant Norman Conley, Signed Hon Sheri Pym May 19, 2011.

Medical records, Joann Davis.

Photographs of moonrock and heatshield paperweight.

Date: 5-18-12



Signed for the claimants by Peter B Schlueter, Attorney

Documents attached:

Standard Form 95 Joann Davis

Standard Form 95 Paul Cilley

Power of Attorney

Photograph of Objects at issue

Search Warrant

Medical records/billing Joann Davis

Search Warrant

UNITED STATES DISTRICT COURT		CENTRAL DISTRICT OF CALIFORNIA	
UNITED STATES OF AMERICA v.		DOCKET NO.	MAGISTRATE'S CASE NO.
THE PERSON KNOWN AS:		ED 11-0168M	
JOANN L. DAVIS, DOB XX-XX-1937 RIVERSIDE COUNTY, CA		TO: ANY SPECIAL AGENT WITH NATIONAL AERONAUTICS AND SPACE ADMINISTRATION OR ANY OTHER AUTHORIZED OFFICER	

Affidavit(s) having been made before me by the below-named affiant that he/she has reason to believe that on the items known as:

SEE ATTACHMENT A

in the Central District of California

there is now being concealed certain property, namely:

SEE ATTACHMENT B

and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the person or premises above-described and the grounds for application for issuance of the search warrant exist as stated in the supporting affidavit(s).

YOU ARE HEREBY COMMANDED to search on or before Fourteen (14) days (not to exceed 14 days) the person or place named above for the property specified, serving this warrant and making the search (in the daytime—6:00 A.M. to 10:00 P.M.) and if the property be found there to seize it, leaving a copy of this warrant and receipt for the property taken, and prepare a written inventory of the property seized and promptly return this warrant to the duty U.S. Magistrate Judge as required by law.

NAME OF AFFIANT	SIGNATURE U.S. MAGISTRATE JUDGE	DATE/TIME ISSUED
NORMAN CONLEY (NASA-OIG)	HON. SHERI PYM	MAY 19, 2011

*If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure Rule 41(e), show reasonable cause therefore.

**United States Judge or Judge of a State Court of Record.

COREY LEE:ii

CL

DOCKETED ON CM

MAY 25 2011

[Signature]

044

AFFIDAVIT

I, Norman D. Conley, being duly sworn, depose and state as follows:

1. I am currently employed as a Special Agent/Criminal Investigator for the National Aeronautics and Space Administration ("NASA"), Office of Inspector General ("OIG"), Kennedy Space Center ("KSC"), Florida. I have been a Special Agent with the NASA OIG for approximately 1 year and 3 months. I have been a law enforcement officer since August 1994. Previously, I worked for the U.S. Department of State, Diplomatic Security Service, the Orange County Sheriff's Office in Florida and the Titusville Police Department in Florida.

2. I have attended training classes accredited by the Florida Department of Law Enforcement and the Florida Criminal Justice Standards and Training Commission. I graduated from the University of Central Florida with a Bachelors Degree in Criminal Justice in 2002. I have completed the 12-week Federal Basic Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. In 2010, I completed the four week Inspector General Academy training program in Glynco, Georgia. I have also completed specialized training by attending classes sponsored by the Federal Law Enforcement Center, including Product Substitution Investigators

Training Program and Procurement Fraud Investigators Training Program.

3. As a Special Agent ("SA") with the NASA-OIG, I have conducted several white collar fraud investigations including product substitution, false claims made to the government, and theft of government property. I have also received extensive and specialized training in the investigation of fraud and financial crimes including embezzlement, kickbacks, and money laundering.

4. This affidavit is submitted in support of a warrant to search JOANN L. DAVIS's ("DAVIS") person and the personal effects carried on or about DAVIS, for evidence, fruits, and instrumentalities concerning violations of Title 18, United States Code, Section 641. I intend to execute the search during a meeting with DAVIS on May 19, 2011 in Riverside County, California.

5. This affidavit is intended to show that there is sufficient probable cause for the requested search warrant and does not purport to set forth all of my knowledge of, or investigation into this matter. The statements set forth in this affidavit are based upon my personal participation in this investigation; training, education, and experience as a SA with the NASA-OIG; conversations with other law enforcement officers and agents who are knowledgeable about the case; and

consultation with other reliable sources of information relative to this investigation.

PERSON TO BE SEARCHED

6. The person to be searched is JOANNE L. DAVIS ("DAVIS"), the individual who has been negotiating the sale of the purported Apollo 11 lunar material. The person includes any personal effects such as a purse or a bag that she may be carrying on her. DAVIS is described as a white female, born on XX-XX-1937, with social security number XXX-XX-1157.

ITEMS TO BE SEIZED

7. The items to be seized from JOANNE L. DAVIS and her personal effects are as follows:

- a. The purported Apollo 11 lunar material offered for sale by DAVIS as shown on the right side of Exhibit 1 attached to this affidavit;
- b. Any documents, records, and photographs showing how DAVIS came to possess the purported lunar rock and/or showing her knowledge about the purported lunar rock..

PROBABLE CAUSE

8. On May 10, 2011, Resident Agent-in-Charge Patricia Searle ("Agent Searle") of the NASA-OIG, KSC Resident Office received information from KSC Protective Security Officer Robert Schmidt ("Officer Schmidt") that an individual may be in possession of an Apollo Lunar Rock. Specifically, Officer

Schmidt received information from Space Gateway Support ("SGS") contract investigator Renee Allen ("Investigator Allen") that DAVIS emailed Investigator Allen and wrote the following in the email:

"... Ms Allen, My name is Joann DAVIS and I live in California. I've been searching the internet for months attempting to find someone that could help me find a buyer for 2 rare Apollo 11 space artifacts. 1. An Apollo 11 Moon Rock and 2. A piece of the Apollo 11 Heat Shield. Both of these items were given to my husband by Neil Armstrong. My husband was very instrumental in all of the space programs right up until his death in February of 1986. He died one week after the Challenger Tragedy. If you have any thoughts as to how I can proceed with the sale of these two items, please call or email me.

Joann L. DAVIS - Ph: 951 674.1320 ... email address: DAVISjlc@verizon.net

Any help or information would be greatly appreciated ... Thank you"

9. Based on my training and experience, the "Apollo 11" description of the moon rock indicates that if the item is indeed a moon or lunar rock, it belongs to the U.S. government. Specifically, "Apollo 11" indicates that the rock was obtained during a space mission during the Apollo program when Neil Armstrong was one of the astronauts. In addition, the reference to a "heat shield" lends legitimacy to the email because heat shields did exist and were distributed to key individuals as souvenirs (and were not to be sold). A heat shield is a material used on the bottom portion of a space craft to protect

the capsule from extreme heat during reentry into the earth's atmosphere.

10. For further investigation, NASA-OIG employed the use of a confidential source ("CS") to contact DAVIS. The CS is a well-documented, reliable, and dependable source who has conducted numerous successful operations with NASA-OIG. The CS has one 1987 California conviction for a misdemeanor solicitation of a prostitute in which s/he served two days in jail.

11. Between May 10, 2011 and May 13, 2011, under the NASA-OIG direction, the CS exchanged several phone calls with DAVIS in which they discussed the Apollo 11 lunar rock. The CS played the role of a broker for a buyer who was interested in the lunar rock. These conversations occurred while the CS was located in Florida and DAVIS was located in California. The first call was not monitored or recorded as I was waiting for approval for consensual monitoring. The rest of the calls were consensually-monitored and recorded after approval was received. The calls were placed from KSC and Cape Canaveral, Florida to DAVIS's phone number at 951-674-1320 as indicated in DAVIS's email. The calls are summarized as follows:

a. On May 10, 2011, the CS called DAVIS and a woman claiming to be DAVIS answered the phone. After this phone call, the CS relayed to me the substance of the conversation. The following is a summary of that conversation:

i. DAVIS is in possession of several items, but only two of the items are of real value; one is an Apollo 11 "heat shield" and the other is a moon rock given to her husband by Neil Armstrong. DAVIS claimed that Richard Branson (President and CEO of Virgin Atlantic) had contacted her "through his people" to make an offer on the rock. DAVIS does not want a "Fed" knocking on her door and will not give "it" back to NASA; she had been informed by Paul Wass (unknown individual) that there are problems with selling Apollo 11 items at auctions and that it has to be "outside that."

ii. DAVIS stated that she was willing to sell the item for "big money underground." DAVIS explained that her husband was "big" in the space program, but that he had passed away. DAVIS is now on a fixed income and indicated that she was having financial issues due to her daughter's death and her son's health condition.

iii. At the conclusion of the call, the CS asked DAVIS to send photos of the items she wanted to sell. That evening, the CS received an email from DAVIS containing several

photographs. One of the photos dated "06.23.2010" depicted two circular items on a black cloth with a part of a human hand next to the items, apparently to demonstrate relative size. One item had an eagle and the other was yellowish in color, somewhat translucent, with a small grey or black object centered inside of it. A color copy of the photograph is attached to this affidavit as "Exhibit 1." There were also several other photographs depicting space memorabilia, letters from KSC from DAVIS to her children, and service pins. The service pins appeared to memorialize the different length of service at the North American Rockwell, a NASA contractor during the Apollo program.

b. On May 11, 2011, at approximately 3:44 p.m. (eastern), the CS called DAVIS at 951-674-1320. A woman answering to the name of "Joann" answered the phone. The following is a summary of the conversation:

i. The CS confirmed with DAVIS that the spec inside the item on the right side of the photograph (Exhibit 1) is the Apollo lunar rock. She also confirmed that the black circular material embedded inside the item on the left is a piece of a heat shield. DAVIS explained that she does not keep the items in the house, but in a safe deposit box.

ii. DAVIS stated that she understands the lunar rock cannot be sold through normal processes and that "big

brother" is out there. Apparently, DAVIS had attempted to engage two individuals she did not identify to sell the items for her. However, the two individuals turned her down because it is "not sellable." When she told them that she does not have a "black market" contact, according to DAVIS, the individuals replied, "that is why it is a touchy subject." DAVIS also appeared to express some concern that the items would be taken from her by the government; she stated that one of her children advised that "they" could come knocking at her door and demand that she prove that the items were gifts.

iii. The CS then asked DAVIS the price of the lunar rock and DAVIS replied, "a lot." She added that she is waiting for Richard Branson to call her back, but that it appeared he was not getting his messages from his broker. DAVIS also talked about researching prices of artifacts in Europe and in the United States. Then, DAVIS again talked about why she wanted to sell the lunar rock. She mentioned her financial and health problems and not wanting to struggle in her golden years.

iv. When the CS offered DAVIS \$80,000.00 for the lunar rock, DAVIS immediately rejected the offer and stated, "I am actually insulted that, that is the offer for it. It wouldn't be worth my while to work the deal." She then told the CS to go back to his/her buyer for a much higher price and that she will not take anything less than \$1.5 to \$1.7 million.

DAVIS then added that she may not be able to commit to even \$1.5 million because of her concern that she may be liable for a quarter or half-a-million dollars in taxes.

v. During the conversation, the CS periodically informed DAVIS that he would need to personally view the lunar rock for verification prior to firming up the transaction. The CS and DAVIS agreed that the week of May 16th was a possibility for a meeting in California.

c. On May 11, 2011, at approximately 4:53 p.m. (eastern), the CS called DAVIS at 951-674-1320. The following is a summary of the conversation:

i. DAVIS told the CS that she needed another day to think about the deal, that she had received another phone call about the lunar rock, and that she needed to talk to her "tax man." The CS asked whether there is a bidding war and that if there was, s/he would like DAVIS to at least extend the courtesy of allowing him/her and his/her buyer to make the last counteroffer. DAVIS assured the CS that she is not trying to create a bidding war, but that people were making offers. She then assured the CS that she is just trying to be honest with the CS, which is why she called him/her immediately, and stated, "If I commit . . . if I do commit, I am an honest person. Then everything else won't be recognized, and I know that."

ii. DAVIS then expressed concern over the payment method and stated, "naturally, I'm not gonna take a check or anything like that." She explained that she was concerned about how to "deal with the situation" because she wanted to "protect myself with this" and "doing things legally" because "I'm just not an illegal person" The CS responded that s/he and DAVIS are both "legal," but intimated that these types of transactions cannot be advertised in newspapers and that she must know that this is a questionable transaction because she used the term "black market." DAVIS then continued to discuss her concern with the payment method and making sure that the payment is "legal tender." DAVIS and the CS concluded by further discussing the payment method and potentially doing a wire transfer if DAVIS so desires. DAVIS and the CS then agreed to speak with each other the next day about the deal.

d. On May 12, 2011, the CS called DAVIS at 951-674-1320. The following is a summary of conversation:

i. DAVIS began by stating that she was not having a good day because she discovered that it was not going to be easy to conduct the transaction. She explained that she was unable to find a place where a wire transfer could clear immediately, as she was concerned that "you would be gone with the product." She told the CS that she was "in a pickle," to

which the CS replied that DAVIS could hold the product until the wire transfer clears.

ii. DAVIS then suggested meeting on a Thursday during the week of May 16th. She stated that after speaking with a financial advisor, she was concerned that she would lose a large sum of money in taxes. DAVIS also stated that she was discussing with her financial advisor whether to have the money wired to Arizona where she has another residence. DAVIS then asked the CS to ask his/her buyer to pay enough so that she would make a net profit of approximately \$1.7 million after taxes. DAVIS and the CS then agreed to speak the day before their meeting date on May 19th.

12. Shortly after DAVIS emailed the photographs to the CS on May 10, 2011, I provided the photograph in Exhibit 1 to Dr. Gary Lofgren, the lunar curator at Johnson Space Center in Texas. Dr. Lofgren is NASA's senior lunar expert and has been with NASA since August 12, 1968 through the Apollo program. As a lunar curator, one of his responsibilities is to secure and control all lunar material per NASA policies and procedures. He is also NASA's expert in identifying lunar material. The following is a summary of the information I learned from and about Dr. Lofgren:

a. According to Dr. Lofgren, the spec in the item on the right of the photograph is consistent with the color of

lunar material, although he could not confirm that it is lunar material without testing in his laboratory. In addition, although he was not familiar with the particular yellowish-round object containing the spec, it is possible that such material was used to contain lunar material; however, Dr. Lofgren stated that he would have to view the material in person to make any assessment.

b. In the past, on a number of occasions, Dr. Lofgren was asked to identify lunar materials from photographs. On those occasions, unlike this one, he was able to definitively determine that the items in the photographs were not lunar material.

c. In addition, based on my conversation with Dr. Lofgren and other NASA personnel and my reviews of NASA policies and regulations, Dr. Lofgren and his department has exclusive control over the receipt and distribution of lunar material obtained from Apollo missions. According to Dr. Lofgren, it is against NASA policy to permanently release lunar samples to individuals (as opposed to nations or entities as gifts) and NASA has never given lunar materials or samples to any one individual, including astronauts.

13. On Wednesday, May 18, 2011, the CS called DAVIS at 951-674-1320. The phone call was consensually-monitored. During this conversation, DAVIS agreed to meet the CS at a

public location in the Riverside County, California, to allow the CS to examine the Apollo 11 lunar rock.

OWNERSHIP OF LUNAR MATERIAL

14. Based on the Space Act of 1958 and its interpretation via federal regulations and NASA policies, it is clear that lunar material is a "national resource," and thus, the property of the U.S. government. (National Aeronautics and Space Act of 1958, 42 U.S.C. § 2473; NASA Policy Directive 1387.2F).

15. During a 2002 case investigated by NASA OIG involving lunar material, Astronaut Neil Armstrong was interviewed. In that interview, Mr. Armstrong stated that it has always been common knowledge to NASA employees who work in the Manned Spacecraft Center that any moon rocks or dust collected by astronauts would be government property and that no one, including the astronauts, would have the right or authority to keep a sample for his or herself or give it away. Mr. Armstrong specifically stated that he has never given or sold moon rocks, dust, or Apollo 11 equipment to anyone.

CONCLUSION

16. Based on the facts set forth above, my training, education and experience as a NASA-OIG SA, consultation with other experienced law enforcement officers and agents, and consultation with other reliable sources of information relative to this investigation, I submit there is probable cause to

believe that JOANN L. DAVIS is in possession of contraband, evidence of the crime, fruits, and instrumentalities of the crime concerning a violation of Title 18, United States Code, Section 641, possession of stolen government property.

Norman D. Conley
Special Agent, NASA-OIG

Sworn and subscribed to before me
On this ____ day of May 2011.

THE HONORABLE SHERI PYM
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

PERSON TO BE SEARCHED

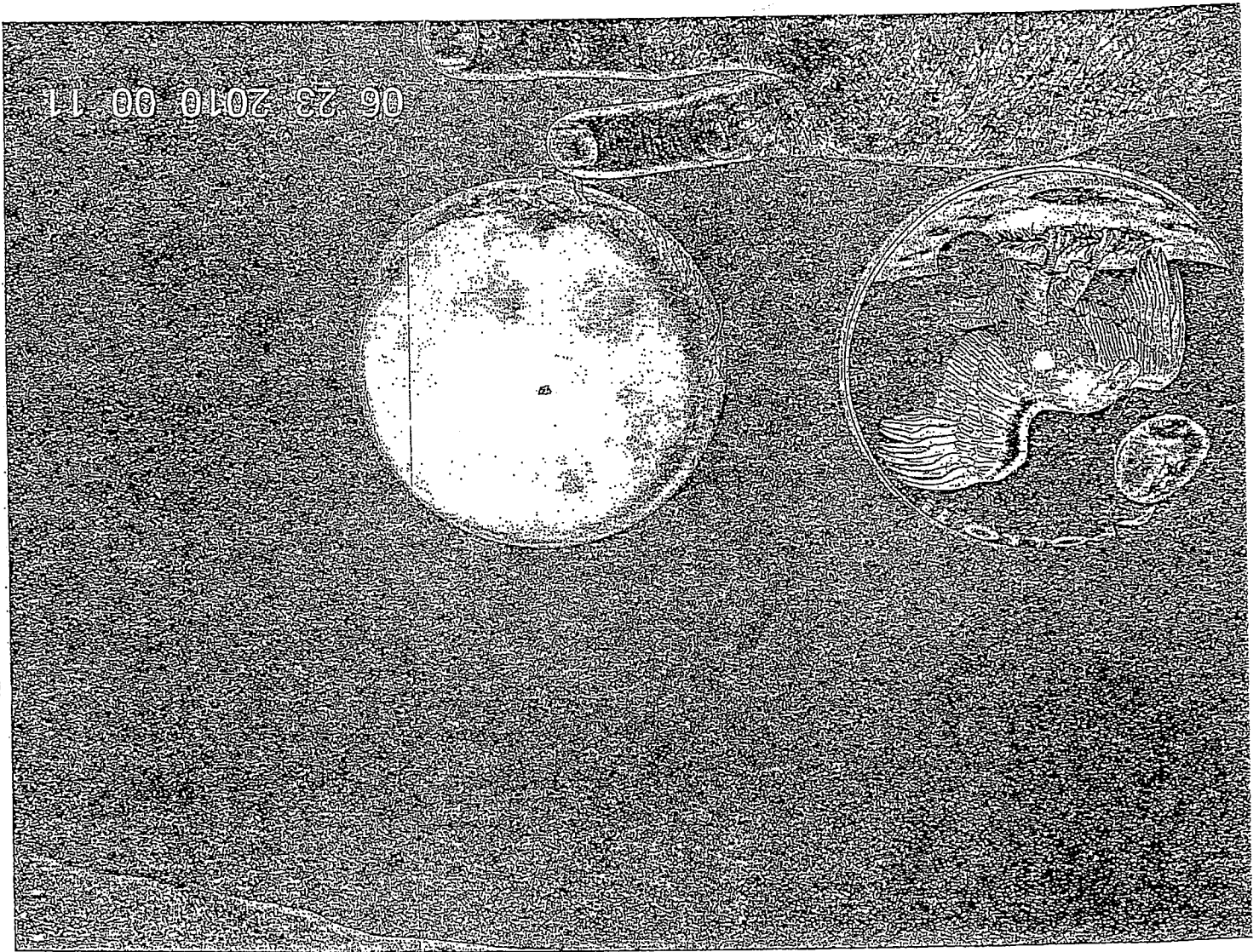
The person to be searched is JOANN L. DAVIS, the individual who has been negotiating the sale of the purported Apollo 11 lunar material belonging to the United States government. The person includes any personal effects such as a purse or a bag that she may be carrying on her. DAVIS is described as a white female, born on XX-XX-1937, with social security number XXX-XX-1157.

ATTACHMENT B

ITEMS TO BE SEIZED

The items to be seized from JOANNE L. DAVIS and her personal effects are as follows:

- a. The purported Apollo 11 lunar material offered for sale by DAVIS as shown on the right side of Exhibit 1 attached to this affidavit;
- b. Any documents, records, and photographs showing how DAVIS came to possess the purported lunar rock and/or showing her knowledge about the purported lunar rock.



709

RETURN

DATE WARRANT RECEIVED

May 19, 2011

DATE AND TIME WARRANT EXECUTED

May 19, 2011 1230

COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH

Joan L. Davis

INVENTORY MADE IN THE PRESENCE OF

SA Tom Reynolds

INVENTORY OF PROPERTY TAKEN PURSUANT TO THE WARRANT

1 yellowish in color item with small grey or black small spec matching photo Exhibit 1

CERTIFICATION

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant.

Subscribed, sworn to, and returned before me this date.

U.S. JUDGE OR MAGISTRATE

DATE

Medical Records and billing

40

5/1/2012 10:11 AM Babes

19063819238

7

St. Joseph Hospital
Children's Hospital of Orange County
1100 West Stewart Drive
Orange, CA 92668
714-771-8233

TAKE HOME INSTRUCTIONS FOR PATIENT

DAVIS, JOHN L
DOB: 06/14/1937
Age/Sex: 73/M

MR7012547124
MM01351067
REG: ER

Service date/time: 05/25/11 12:1
Discharge date/time:
Discharge Disposition: HOME
Physician: DR. ROCCA, BRAD M. MD

I hereby acknowledge receipt of the instructions indicated above. I understand that I have had emergency treatment and that I may be released before all my medical problems are known or treated. I will arrange for followup care as instructed above.

The list of medications has been reviewed and reconciled. You are instructed to contact the prescribing physician for any questions related to returning home medications at discharge. In addition, any medication that has been prescribed as a result of your visit has been noted as well.

I give authorization for the Emergency Department to furnish medical record information to my physician.

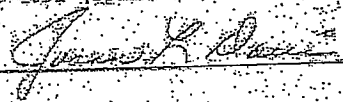
CHILD RESTRAINT - California Law Requires All Infants/Children UNDER 6 Years/60 Pounds Be Secured

In A Passenger-Restraint System When In A Motor Vehicle. In Addition, California Law Requires

All Children OVER 6 Years/60 Pounds Be Secured In A Properly Fitted Seat Belt.

If You Need Additional Information, Please Contact CHOC Child Passenger Safety Program, 714-289-4099 (English) or 714-289-4094 (Spanish).

Patient Signature:




Date:

5/25/11

I have explained the instructions and have given a copy to the patient.

Discharge Personnel Signature:



Date:

5/25/11

5/1/2012 10:11 AM Bactes

13093519268

8

20
EMERGENCY PHYSICIAN RECORD
 Affected Assault

TIME SEEN: 12:35 Chronical ROOM: 22 EMS Arrive
 HISTORIAN: Family Paramedic Transfer
 EXAM LIMITED BY: HPI

Chief Complaint: Injury to Face

Onset / duration: Just prior to arrival today
Where: home school neighborhood park West of DENNIS street DENNIS

Context: Ripped checked bitten
 pushed / thrown against wall
 reported assault (abuse) (spouse) (batterer)
 Abuse of Wife Spouse
Physical & Law Enforcement

Severity of pain: mild/moderate impact (H/O)

Associated symptoms: loss consciousness, dazed, seizure, weakness / numbness, dizziness, incoherence, injury, coming to hospital

Location of pain:
 head: face, mouth
 neck: throat, abdomen
 chest: upper ribs, lower
 abdomen: right upper / leg
 arm: right, left
 hand: right, left
 hip: right, left
 knee: right, left
 leg: right, left
 ankle: right, left
 foot: right, left

ROS

HEENT: eyes, ears, nose, throat, mouth
CVS: heart, lungs, circulation
GI: stomach, intestines, liver, gallbladder, pancreas
MSK: muscles, bones, joints
DERM: skin, hair, nails
ENDOCRINE: thyroid, parathyroid, adrenal, pituitary
IMMUNE: immune system
REPRO: reproductive system
PSYCH: mental health

NEED / MS complaint also discuss on HPI

PAST HX:
 diabetes Type I / Type II, hepatitis / HIV, diet / oral / insulin, use of alternative therapy / medicine, old records ordered / summary

Tetanus immun. VTD / given in ED
 Meds: none / see nurses note / ask for additional sleep disorder
 Allergies: NKDA / see nurses note / ask for additional

SOCIAL HX: smoker, salt smoking Date, insurance, alcohol, occupation, primary language, family / other

FAMILY HX: 2010-0194



PHYSICAL EXAM:
 General Appearance: collar/backward (MVA / M ED), child / mole / severe distress, anxious / lethargic / uncooperative, pale / cyanotic, track on eyes / bite signs, needlegram, depressed / limited ROM, pain on movement of neck
 Neck: tenderness / swelling / protruding injury, altered mental status / LOC, focal neuro deficit



EYES: PERL, EOM, ENT, fund ext. inspection, (no dental / oral inj), ask vision, pupil, fundus, extraocular muscles, extraocular movements, decreased breath sounds, wheezes / crackles / rhonchi, tachycardia / bradycardia, see diagram, tenderness / guarding / rebound, mass

ABDOMEN: non-tender, no distention

GENITAL / RECTAL: anal ext. inspection, hemorrhoids, hematuria / stool

NEURO / PSYCH: oriented, CN's intact / tested, motor / sensory, mood / affect



MM01351057 05/25/2011
 RR012837134 SJQ
 Davis, Sean L
 DOB 06/04/1987
 La Roca, Brad (ER)

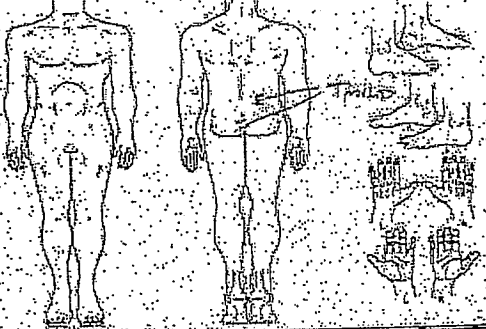
5/1/2012 42

5/1/2012 10:11 AM Bacter

19093819206

20 Alleged Assault

<input checked="" type="checkbox"/> SKIN	<input type="checkbox"/> see diagram
<input checked="" type="checkbox"/> <u>bruise</u>	<input type="checkbox"/> ecchymosis / laceration
<input checked="" type="checkbox"/> <u>warm dry</u>	<input type="checkbox"/> crepitus / diaphragm
<input checked="" type="checkbox"/> <u>normal color</u>	<input type="checkbox"/> decubitus
BACK	<input checked="" type="checkbox"/> see diagram
<input type="checkbox"/> no CVA tenderness	<input type="checkbox"/> vertebral point / CVA tenderness
<input type="checkbox"/> no vertebral tenderness	<input type="checkbox"/> muscle spasm / limited ROM
EXTREMITIES	<input type="checkbox"/> see diagram
<input checked="" type="checkbox"/> <u>atraumatic</u>	<input type="checkbox"/> bony point tenderness
<input checked="" type="checkbox"/> <u>flexible</u>	<input type="checkbox"/> painful / unable to bear weight
<input checked="" type="checkbox"/> <u>limbs non tender</u>	<input type="checkbox"/> pulse deficit
<input checked="" type="checkbox"/> <u>no pedal edema</u>	<input type="checkbox"/> joint exam
<input checked="" type="checkbox"/> <u>normal ROM</u>	<input type="checkbox"/> limited ROM / ligaments laxity
	<input type="checkbox"/> joint effusion



7-12-12 10:11 AM Bacter
 19093819206

PROCEDURES

Wound Description / Repair	Time
length: _____ cm location: _____	
linear: <u>scalp</u> <u>forearm</u> <u>upper abdomen / muscle</u>	
clean: <u>contaminated</u> <u>moderately</u> <u>heavy</u>	
Distal NVT: <u>none</u> <u>injury</u>	
anesthesia: local topical: <u>lidocaine</u> <u>sigvacaine</u> <u>epi</u> <u>benz</u>	
prep: <u>hibitane</u> / <u>skin clean</u> / <u>benzocaine</u>	
irrigated with saline	<u>debrided</u> <u>not debrided</u>
wound explored	<u>wound margins revised</u>
<u>is deep</u> / <u>no bloodless field</u>	<u>multiple flaps aligned</u>
<u>no foreign body identified</u>	
<u>foreign material removed</u>	
repair: <u>wound closed with</u> <u>wound adhesive / steri-strips</u>	
SKIN: # _____ <u>nylon</u> / <u>prolene</u> / <u>fastapier</u>	
SUBCUT: # _____ <u>nylon</u> / <u>chromic</u>	
OTHER: # _____	
Procedure done by: _____	EA / MD

LABS

CBC	Chemistries	UA	EPON
normal except	normal except	normal except	TOX
WBC			
Hgb			
Hct			
Metabolic	CO2	HCG	R/PT
	BUN	serum / urine	INR
	Gluc	POS NEG	
	Creat		

7010-01946



XRAYS

<input type="checkbox"/> Cervical by ER MD	<input type="checkbox"/> Referred by ER MD
<input type="checkbox"/> Directed by Radiologist Dr.	
C-spine: <u>T-spine</u> <u>L5-S1 spine</u> <u>pelvis</u>	
neck / NAD: <u>no fracture</u> <u>soft tissue</u> <u>normal</u>	
DXR <input type="checkbox"/> Inter. by ER MD <input type="checkbox"/> Referred by ER MD	
<input type="checkbox"/> Directed by Radiologist Dr.	
rib: <u>no infiltrates</u> <u>NO heart</u> <u>NO mediastinum</u>	
Other: _____	
BT Scan <input type="checkbox"/> Directed by Radiologist	
chest: <u>C-spine</u> <u>chest</u> <u>abdomen</u> <u>pelvis</u>	
neck / NAD: _____	
Ultrasound / EAST Exam	
neck / NAD: _____	
Other: _____	

PROGRESS Time: _____ unchanged improved re-examined

order bottled / day

still Progress / Critical Care

consult with _____

inter: discussed with Dr. [Signature] Time

will see patient in: ED hospital office SNR Outpatient

Continued patient / family regarding: land rent insurance relax exercise medication

BATHWAY

giving: liquid solid

approved: at home

CRIT CARE TIME: leaving continuing unable proceeding not

CLINICAL IMPRESSION

Abdomen:	
Conversion: <u>with ECG</u> <u>with LOC</u>	
limbs: <u>lower</u> <u>upper</u>	
Operation:	
Respiratory:	
Spinal / Strain: <u>normal</u> <u>diagnosed</u> <u>impaired</u>	

DISPOSITION: Home OPD Outpatient

Admitted: ED ICU SNR OT Other

CONCOMITANT: unchanged improved stable

Care transferred to: _____ Time: _____

[Signature] SCRIBE NO RX

I have reviewed the documentation by the nurse and confirm and agree with the documentation

E.M. completed by MD FT/PT Directed Addition Completed

Additional: Chest Exam, Gen Care, EKG, PFT, Lab, Exam

IV: LR LP CR FM Prophyl No Pains No Meds Medication



MM01351067 RE/25/2011
 BA7012337134 570
 Davis, John L
 F 78 BOB08/02/1937
 LA Recs. ERSD (ER)

5/1/2012 10:11 AM Bagley

19033819233

10

Name: _____ Date/Initials: _____
 Bed: _____
 RN: _____
 Unit: _____
 Location: _____
 F attempts: _____
 F attempts: _____


Time	Medication or IV Solution or Treatment	Dose/amt	Route/Site	Pain Scale	Other Response	IV Rate	Medical or Nursing Interventions	Continues at time of discontinuation	Infusion Pump	Initial
									Yes/No	
									Yes/No	
									Yes/No	
									Yes/No	
									Yes/No	
									Yes/No	
									Yes/No	
									Yes/No	

ACUTE TREATMENT			TREATMENT/DIAGNOSTIC PROCEDURES			TREATMENT/OTHER		
Location	Medication	Time/Initial	Time	Initial	Time	Initial	Time	Initial
OT Scan	Bedside Glucose				Ice/Elevate			
Nuclear Med	Labs Drawn/Sent				Wound Cleaned			
Radiology	Urine Collected/Sent				Stitches/Stapled			
Ultrasound	ABG/VBG's				Ace Wrap Size			
Monitor (see strip)	O2 - Limb, Mac, NC				Band			
EKG Done	Lumbar Puncture				Splint/Cast			
Portable X-Ray	NG Inserted - Size				Crutch Training			
Foley/Straight Cath Size #	Peric Exam				Crutches Dispensed			
Foley D/C	Eye Injection EX/TA/antibio				OSM Present/Diast to			
Initial Foley Output	ml color				Injury Post Splint/Cast			

Seizure Precautions
 Moderate Sedation Protocol (See Moderate Sedation Flow Sheet)
 Entex Precautions in place

Baseline Protocol (See Baseline Protocol)
 Initiated time: _____ Initials: _____
 Discontinued time: _____ Initials: _____

Time	Temp	Pulse	RR	BP	Pain	O2sat	C	Hydrat (if applicable)	Initial	NURSING NOTES		
										Start	End	Initials

St. Joseph Hospital HEALTH SYSTEM
 CHOC
 PATIENT RECORD
 NURSING TREATMENT CONTINUATION


PATIENT ID


 HH01351857 05/25/2011
 RA7012337134 SD
 Davis, John L
 F 73 DOB 06/04/1937
 Unassigned

5/1/2012 10:11 AM Bacter

-> 10093812233

11

NURSING NOTES

Empty space for nursing notes.

Date	Time	Lead	Activity / Event

INTAKE OUTPUT

ED MD OK TO ADMIT MD Time: May be transported off cardiac monitor
Discharge/Admission/Transfer Assessment (circle one) Completed by: RN Time:

BREATHING: Normal Other
 BREATH SOUNDS: Clear Other
 CIRCULATION: Cap refill less than or equal to 2 sec. Other
 HYDRATION: Mucous Membranes Moist- Other
 FONTANELLE: Soft/flat N/A Other
 SKIN: Pink/Warm/Dry Other
 LEVEL OF CONSCIOUSNESS: Alert Normal for patient Other
 Oriented Cooperative Sleeping Appropriate for age
 SKIN/WOUND: No active bleeding Dressing clean/dry/in tact N/A ORTHO: CSF clear to injury Other N/A

Disposition Time: Vital Signs: T: P: RR: BP: O2sat: Pain (Scale 0-10):

ADMIT: CHART SCANNED Consent
 Admitted Via: Gurney Wheelchair
 Transported By: PCP PCP/RN Other
 G Monitor
 Repeat Fed To: @
 TRANSFERRED To:
 Transfer Form Completed and sent with patient
 Via: ACLS Other
 Name of Ambulance Transporting:
 Copy of chart and all diagnostic results given to transfer team
 HOME Discharge instructions Given to: Smoking Cessation
 Preferred Method of Learning: Verbal Written
 Educational Needs: No Barriers to Learning/identified Barriers to Learning
 Regarding: Rx instruction given (Name of Medications)
 List of home meds given to patient
 Patient's ability able to validate discharge instructions by Verbal Feedback Return Demonstration
 REFERRALS: Immunizations PMD/Specialist Abuse Report Filed
 Other: Name:
 Discharged: Ambulatory Stroke/WC Cardiac ACC by:
 Comments:
 Discharge Print/Signature: RN

St. Joseph Hospital
 ST. JOSEPH HEALTH SYSTEM
 CHOC
 PATIENT RECORD
 NURSING TREATMENT CONTINUATION
 EDF4

PATIENT ID

 MNO 2351067 05/25/2011
 RATO12337134 530
 Davis, John L.
 F 73 DOB 05/04/1937
 Unassigned,

5/1/2012 10:11 AM Bactes

-> 13093819288

12

Time	PROCEDURES	Time	RADIOLOGY
	<input type="checkbox"/> Anoscopy <input type="checkbox"/> Bladder Scan <u>ml</u> residual <input type="checkbox"/> Central Venous Line <input type="checkbox"/> Doppler fetal heart rate <input type="checkbox"/> Epistaxis <input type="checkbox"/> Foley <input type="checkbox"/> Initial urine output <input type="checkbox"/> Leg bag <input type="checkbox"/> Intubation <input type="checkbox"/> Laceration repair <input type="checkbox"/> Laryngoscopy <input type="checkbox"/> Lumbar Puncture <input type="checkbox"/> Monitor <input type="checkbox"/> NG Tube <u>Fr</u> <input type="checkbox"/> Gravity <input type="checkbox"/> Suction <input type="checkbox"/> Amount <input type="checkbox"/> Pelvic exam <input type="checkbox"/> Postural BP anti P <input type="checkbox"/> Procedural Sedation <input type="checkbox"/> Resistant Orders <input type="checkbox"/> Sit Lamp <input type="checkbox"/> Opthn Bur <input type="checkbox"/> Vaginal Acuity		<input type="checkbox"/> Portable <input type="checkbox"/> Chest <input type="checkbox"/> Lat-C-Spine <input type="checkbox"/> C-Spine 2-view <input type="checkbox"/> Oblique <input type="checkbox"/> Thoracic Spine <input type="checkbox"/> Lumbar Spine <input type="checkbox"/> Sacrum <input type="checkbox"/> Skull <input type="checkbox"/> Face <input type="checkbox"/> Orbit <input type="checkbox"/> R <input type="checkbox"/> L <input type="checkbox"/> Nose <input type="checkbox"/> AAS: <input type="checkbox"/> Neck <input type="checkbox"/> Pelvis <input type="checkbox"/> Clavicle <input type="checkbox"/> Hip <input type="checkbox"/> Shoulder <input type="checkbox"/> Femur <input type="checkbox"/> Humerus <input type="checkbox"/> Knee <input type="checkbox"/> Elbow <input type="checkbox"/> Distal <input type="checkbox"/> Forearm <input type="checkbox"/> Wrist <input type="checkbox"/> Wrist <input type="checkbox"/> Ankle <input type="checkbox"/> Hand <input type="checkbox"/> Foot <input type="checkbox"/> Finger <input type="checkbox"/> Toe
Time	LABORATORY	Time	LABORATORY
	<input type="checkbox"/> EKG <input type="checkbox"/> Rhythm Strip <input type="checkbox"/> V-R <input type="checkbox"/> V-5 <input type="checkbox"/> Noninvasive Hemodynamic Profile <input type="checkbox"/> Echocardiogram <input type="checkbox"/> TEE <input type="checkbox"/> Carotid Doppler <input type="checkbox"/> DVT R L <input type="checkbox"/> Track I <input type="checkbox"/> Track II <input type="checkbox"/> Track III		<input type="checkbox"/> Arterial Blood Gas <input type="checkbox"/> CBC <input type="checkbox"/> HPI <input type="checkbox"/> Blood Culture X1 X2 <input type="checkbox"/> Mammal Differential <input type="checkbox"/> Pap smear <input type="checkbox"/> Central <input type="checkbox"/> Panels <input type="checkbox"/> Electrolytes (Na, K, Cl, CO2) <input type="checkbox"/> BMP (Na, K, Cl, CO2, BUN, Creatinine, Glucose, Calcium) <input type="checkbox"/> Carded Trop, Myo, CK, CKMB (CK elevated) <input type="checkbox"/> Hepatic Panel (TPO Bill, Tors, ALT, ALP, Phos, ALT, AST) <input type="checkbox"/> RUO Panel (Bili, Lipase, ALP, Phos, AST) <input type="checkbox"/> Aldolase <input type="checkbox"/> Myoglobin <input type="checkbox"/> LDH <input type="checkbox"/> CK <input type="checkbox"/> Amylase <input type="checkbox"/> Lipase <input type="checkbox"/> Ammonia <input type="checkbox"/> Serum Ketones <input type="checkbox"/> Lactate <input type="checkbox"/> Bilirubin <input type="checkbox"/> Total <input type="checkbox"/> Direct <input type="checkbox"/> BNP <input type="checkbox"/> Noninvasive Hemodynamic Profile <input type="checkbox"/> SUN <input type="checkbox"/> Creatinine <input type="checkbox"/> Ca <input type="checkbox"/> Mg <input type="checkbox"/> Phos <input type="checkbox"/> Albumin <input type="checkbox"/> CRP <input type="checkbox"/> Quanti <input type="checkbox"/> ESR <input type="checkbox"/> D-dimer <input type="checkbox"/> Protime <input type="checkbox"/> PTT <input type="checkbox"/> Uric Acid
Time	OPTIC	Time	SEBUM LEVELS
	<input type="checkbox"/> Admittance <input type="checkbox"/> Dorsal Blocking Finger <input type="checkbox"/> POF <input type="checkbox"/> Intrinsic plus <input type="checkbox"/> Neoprene <input type="checkbox"/> Wrist <input type="checkbox"/> Elbow <input type="checkbox"/> Knee Ankle <input type="checkbox"/> Plaster / OOL <input type="checkbox"/> volar wrist / dorsal wrist / sugar tong / thumb spica / radial gutter / ulnar gutter / PA splint / Long arm / Rebar / long leg / short leg / supination / pronation <input type="checkbox"/> Rib belt <input type="checkbox"/> Shoulder immobilizer R L <input type="checkbox"/> Volar wrist / thumb / finger / elbow / knee immobilizer <input type="checkbox"/> Sling <input type="checkbox"/> Sling R L <input type="checkbox"/> Crutches		<input type="checkbox"/> Alcohol <input type="checkbox"/> Acetaminophen <input type="checkbox"/> Aspirin <input type="checkbox"/> Digoxin <input type="checkbox"/> Phenylin <input type="checkbox"/> Phenylenol <input type="checkbox"/> Diazepam <input type="checkbox"/> Valproate <input type="checkbox"/> Carbamazepine <input type="checkbox"/> UA <input type="checkbox"/> Cath <input type="checkbox"/> Void <input type="checkbox"/> Urine Culture <input type="checkbox"/> Quant HCG <input type="checkbox"/> Qual HCG <input type="checkbox"/> Type / Rh <input type="checkbox"/> Type / Screen <input type="checkbox"/> Type and Cross <input type="checkbox"/> Units
Time	RESPIRATORY	Time	OTHER
	<input type="checkbox"/> O2 Sats <input type="checkbox"/> Respiratory distress pathway <input type="checkbox"/> Bronchitis pathway <input type="checkbox"/> ABC <input type="checkbox"/> RA <input type="checkbox"/> O2 <input type="checkbox"/> Luman NG mass <input type="checkbox"/> Non Rebreather <input type="checkbox"/> Intubated		<input type="checkbox"/> Gram stain <input type="checkbox"/> GAS <input type="checkbox"/> Glucose <input type="checkbox"/> Protein <input type="checkbox"/> Cell count <input type="checkbox"/> Viral culture <input type="checkbox"/> Herpes culture <input type="checkbox"/> Herpes PCR <input type="checkbox"/> Anticardiolipin AB <input type="checkbox"/> Antithrombin III level <input type="checkbox"/> Factor V Leiden <input type="checkbox"/> Lupus anticoagulant <input type="checkbox"/> Protein C level <input type="checkbox"/> Protein S level
Time	SPECIAL RADIOLOGY	Time	ADDITIONAL ORDERS
	<input type="checkbox"/> Contrast <input type="checkbox"/> IV <input type="checkbox"/> PO <input type="checkbox"/> VIO Scan <input type="checkbox"/> CT <input type="checkbox"/> Head <input type="checkbox"/> C-Spine <input type="checkbox"/> L-Spine <input type="checkbox"/> Chest <input type="checkbox"/> Abdomen <input type="checkbox"/> Pelvis <input type="checkbox"/> Other <input type="checkbox"/> Ultrasound <input type="checkbox"/> Abdom <input type="checkbox"/> GB <input type="checkbox"/> Abd <input type="checkbox"/> Pelvic <input type="checkbox"/> MR <input type="checkbox"/> Head <input type="checkbox"/> C-Spine <input type="checkbox"/> L-Spine <input type="checkbox"/> MRA <input type="checkbox"/> Head <input type="checkbox"/> C-Spine <input type="checkbox"/> L-Spine		<input type="checkbox"/> Call Dr <input type="checkbox"/> Call Dr <input type="checkbox"/> Additional orders on page 8 <input type="checkbox"/> Care Critical <input type="checkbox"/> Pathway
Time:		Time:	
Time:		Time:	
<input type="checkbox"/> ORDERS NOTED SECRETARY		<input type="checkbox"/> ORDERS NOTED RN	

St. Joseph Hospital
 ST. JOSEPH HEALTH SYSTEM
 EMERGENCY DEPARTMENT PHYSICIANS
 NOTES AND ORDERS
 GDF5

PATIENT ID

 NR01381067 05/25/2011
 AR7012337134 SJO
 Davis, Jason L.
 F 73 DOB06/04/1937
 Unassigned

Time	Medications	Time	Medications (Cont'd)
<input type="checkbox"/>	Acetaminophen 1000mg (Tylenol #3) 1 2 Po	<input type="checkbox"/>	LET topiramate
<input type="checkbox"/>	Acetaminophen mg 500 1000 mg Po	<input type="checkbox"/>	Levofloxacin (Levofloxacin) mg 250 500 mg Po IV PB
<input type="checkbox"/>	Adenosine mg 5 mg x 2 12 mg IV q 1-0.2 mg/kg	<input type="checkbox"/>	Lorazepam (Elovan) mg Sub Q
<input type="checkbox"/>	Albuterol mg/mL NS by H/N x 1-2-3 continuous	<input type="checkbox"/>	Metoprolol 5 mg IV over 2 Min q 5 Min x 3 doses
<input type="checkbox"/>	Ampicillin 500 mg 1 gm IV	<input type="checkbox"/>	Metoprolol 25 mg Po x 1
<input type="checkbox"/>	Anest (Cefazolin) mg IM IV	<input type="checkbox"/>	Contraindicated (HR less than 60, SBP less than 90, CHF, COPD)
<input type="checkbox"/>	Aspirin mg 81 162 325 mg Po	<input type="checkbox"/>	Morphine mg 2 3 4 5 6 5 Min Sub Q IM IV total dose mg
<input type="checkbox"/>	Ativan (Lorazepam) mg 1 2 mg Po IV	<input type="checkbox"/>	Maint (buprenorphine) mg 200 400 600 800 mg (0.1 mg/kg) Po
<input type="checkbox"/>	Ativan 0.5 mg/mL NS by H/N x 1-2-3 continuous	<input type="checkbox"/>	6 paracetamol procedure
<input type="checkbox"/>	Aurigan / Colace gta F 1 qd (s)	<input type="checkbox"/>	Narcan (Naloxone) mg or dilute 0.1 mg q 2 Min IV to desired effect
<input type="checkbox"/>	Beneart (Diphenhydramine) mg Po IM IV 10-50 75 mg/kg	<input type="checkbox"/>	Nicotin gum 140 chew
<input type="checkbox"/>	Cefazolin (Ancef) 50 mg/mL 500 mg 1 2 gm IV	<input type="checkbox"/>	Nitro E 7.5 10 mg Po
<input type="checkbox"/>	Cefazolin (Cefazolin) 50 mg/mL mg 16 IV	<input type="checkbox"/>	Nitro (Nitroglycerin) 50 mg IV over 10 Min IM
<input type="checkbox"/>	Cilindartol mg 300 600 900 mg IV PB	<input type="checkbox"/>	NTG 0.4 mg SL q 5 Min x 1-2 3
<input type="checkbox"/>	Compazine (Prochlorperazine) mg 2 5 10 mg IM IV	<input type="checkbox"/>	Nitro drip 10mg/50ml dilute to 5 ml to 10mg/50ml, maintain SBP greater than 90
<input type="checkbox"/>	Darvocet N-100 1 or 2 tab Po	<input type="checkbox"/>	Pepcid (Famotidine) 20 40 mg Po IV
<input type="checkbox"/>	Decadron (Dexamethasone) mg Po IM IV	<input type="checkbox"/>	Pienafgan (Pirofenazine) mg 12.5 25 mg IM IV over 10-15 Min to total of mg
<input type="checkbox"/>	Digoxin 0.25 0.5 mg IV	<input type="checkbox"/>	Potassium Chloride 20 30 mEq Po
<input type="checkbox"/>	Diazepam (Hydromorphone) mg 1 2 mg IM IV	<input type="checkbox"/>	Prednisolone mg Po
<input type="checkbox"/>	Diltiazem (Cardizem) mg IV bolus mg IV drip	<input type="checkbox"/>	Prednisone mg Po
<input type="checkbox"/>	DT 0.5 mL IM	<input type="checkbox"/>	Procainamide mg IV mg IM IV
<input type="checkbox"/>	Erythromycin ophth ointment F 1 eye(s)	<input type="checkbox"/>	Protonix (Pantoprazole) 20 40 mg Po IV
<input type="checkbox"/>	Fentanyl mEq IV	<input type="checkbox"/>	Racemic epinephrine 0.25 0.5 mg/mL NS by H/N x 1-2
<input type="checkbox"/>	Fentanyl (Morphine) 250 500 mg IV PB Po	<input type="checkbox"/>	Reglan (Metoclopramide) mg 10 mg Po IM IV
<input type="checkbox"/>	Gabapentin mg IM (VPA) (Saps 3-7 mg/kg)	<input type="checkbox"/>	Rocuronium (Rocuronium) mg 250 500 mg 1 gm 2 gm IM IV
<input type="checkbox"/>	Gadolin (Gadolinium) 10 or 20 mg 20 mL	<input type="checkbox"/>	Salmeterol (Salmeterol) mg 40 125 250 mg SL IV
<input type="checkbox"/>	G1 Cocktail 55 mL Po or mL Po	<input type="checkbox"/>	Tdap 0.5 mL IM
<input type="checkbox"/>	Heparin bolus 50 units/kg (max dose 4000 units) IV	<input type="checkbox"/>	Toradol (Ketorolac) 15 30 60 mg IM IV
<input type="checkbox"/>	Heparin bolus 25 000 units/250 mL D5W 15 units/kg	<input type="checkbox"/>	Urisiv (Acetaminophen/Sulfacetamide) gm 1.5 3 gm IV PB
<input type="checkbox"/>	Hypertel 250 500 mg IM	<input type="checkbox"/>	Versed (Midazolam) mg IM IV IM
<input type="checkbox"/>	Infliximab (Remicade) mg Sub Q	<input type="checkbox"/>	Zofran (Ondansetron) mg 2 4 mg Po IM IV (ped: 0.1 mg/kg)
<input type="checkbox"/>	Lasix (Furosemide) mg Po IV	<input type="checkbox"/>	Zosyn (Piperacillin-tazobactam) gm 3.375 gm IV PB (ped: 80 mg/kg)
<input type="checkbox"/>	Saline lock		
<input type="checkbox"/>	Normal saline mL		
<input type="checkbox"/>	Infusion <input type="checkbox"/> 15 Min <input type="checkbox"/> 30 Min <input type="checkbox"/> 60 Min		
<input type="checkbox"/>	Hydration <input type="checkbox"/> 15 Min <input type="checkbox"/> 30 Min <input type="checkbox"/> 60 Min		
<input type="checkbox"/>	Repeat mL Min		
<input type="checkbox"/>	Repeat mL Min		
<input type="checkbox"/>	D10W mL (heparin 100 units/mL)		
<input type="checkbox"/>	D25W mL (ped: 300 units/mL)		
<input type="checkbox"/>	D50W mL (ped: 2 mg/kg max 50 mL)		
<input type="checkbox"/>	D10W mL/hr		
<input type="checkbox"/>	D5 1/2NS mL/hr		
<input type="checkbox"/>	Maintenance mL/hr		
<input type="checkbox"/>	KCL mEq <input type="checkbox"/> KPhos mEq (1 mEq = 1.6 mEq)		
<input type="checkbox"/>	Fluid mL every minutes <input type="checkbox"/> q 1h		

Time: _____ MD/PA
 Time: _____ MD/PA

ORDERS NOTED SECRETARY
 ORDERS NOTED RN _____ NURSES _____ NURSES _____

St. Joseph Hospital
 ST. JOSEPH HOSPITAL
 EMERGENCY DEPARTMENT PHYSICIANS
 NOTES AND ORDERS

CHOC

EDFO

PATIENT ID: _____

MM01351067 05/25/2012
 RR7012337134 SJO
 Davis, John L.
 R 78 DOB 05/04/1987
 Unregistered

5/17/2012 10:11 AM B20125

18083519236

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Date: 5/17/12 Time: 11:40 Staff: L. B. S. A. S. Dipstick Lot #: 1A55CA Exp. Date: 7/1/12

Dipstick	Results								Normal Values	
	Yellow	Red	Blue	Orange	Green	Brown	Other	Yellow		
Color	Yellow	Red	Blue	Orange	Green	Brown	Other	Yellow		
Clarity	Clear	Slight Cloudy	Cloudy	Turbid	Other			Clear		
Glucose	Negative			100 mg/dl	250 mg/dl	500 mg/dl	Greater than or Equal to 1000 mg/dl	Negative		
Bilirubin	Negative			Small 1+	Moderate 2+	Large 3+	Greater than or Equal to 1.0 mg/dl	Negative		
Ketones	Negative		Trace 5 mg/dl	Small 15 mg/dl	Moderate 40 mg/dl	Large 80 mg/dl	Large - Greater than or Equal to 160 mg/dl	Negative		
Specific Gravity	Less than or Equal to 1.005		1.010	1.015	1.020	1.025	Greater than or Equal to 1.030	1.001 - 1.035		
Blood	Negative			Trace	Small 1+	Moderate 2+	Large 3+	Negative		
pH	8.0	7.5	6.0	6.5	7.0	7.5	8.0	Less than or Equal to 6.0	6.0 - 8.0	
Protein	Negative	Trace			30 mg/dl	100 mg/dl	Greater than or Equal to 200 mg/dl	Negative		
Urobilinogen	0.2 mg/dl	1.0 mg/dl			2.0 mg/dl	4.0 mg/dl	Greater than or Equal to 6.0 mg/dl	0 - 0.2 mg/dl		
Nitrite	Negative						Positive	Negative		
Leukocytes	Negative			Trace	Small 1+	Moderate 2+	Large 3+	Negative		

INSTRUCTIONS: Circle the results on this form, place result (scribble on back of yellow copy sheet. Sample is useable for further testing for 1-2 hours from the collection time. Post one copy in the patient chart. Place one copy in the box for review.
NOTE: Strongly colored urines may cause false positive results. If so, report "NA" (not available), recommend send sample to lab.

Urine HCG	Positive	Negative	Equivocal due to low Sp. Gravity	Specific Gravity	Internal Controls OK?	Card lot #	Exp. date
Normal Urine HCG - Negative							

INSTRUCTIONS: Perform test as per manufacturer's instructions. Circle test results on this form. If test is negative and has a low Sp. Gravity (Less than or Equal to 1.015), report equivocal and order serum test. Report Specific Gravity and Pregnancy test. Check if internal controls were OK. Post one copy in the patient chart. Place one copy in the box for review.

Fecal Occult Blood	Positive	Negative	Internal Controls OK?	Card lot #	Exp. date
Normal Gastrocult - Negative					

INSTRUCTIONS: Perform test as per manufacturer's instructions. Circle test result. Check if internal controls were OK. Post one copy of the form on the patient chart. Place one copy in the box for review.

Gastrocult	Positive	Negative	Internal Controls OK?	Card lot #	Exp. date
Normal Gastrocult - Negative					

INSTRUCTIONS: Perform test per manufacturer's instructions. Circle test results. Check if internal controls were OK. Post one copy of form on patient chart. Place one copy in the box for review.

Reviewed by:
 No Action Necessary
 Action Required

St. Joseph Hospital


1100 W. Stewart Dr.
Orange, CA 92665

ST. JOSEPH HEALTH SYSTEM

ED PATIENT RESULT RECORDING FORM

Write - Chart copy * Yellow - Clinical Lab POC

PATIENT ID:



11101351067 05/25/2011
 837012337134 510
 Devile, Jeanne L.
 F 73 DOB 06/04/1937
 La Rocca, Brian (MR)

St. Joseph Hospital
Children's Hospital of Orange County
1700 West Stewart Drive
Orange, CA 92668
714-771-8288

TAKE HOME INSTRUCTIONS FOR PATIENT

DAVIS, JEROME D
DOB: 06/04/1937
Age/Sex: 74/E

MR701237123
MM01551067
REG. OR

Service Date/Time: 05/25/11 11:21
Depart Date/Time:
Depart Disposition: HOME
Physician: LA ROCCA, BRAD W MD

I hereby acknowledge receipt of the instructions indicated above. I understand that I have had emergency treatment and that I may be released before all my medical problems are known or treated. I will arrange for followup care as instructed above.

The list of medications has been reviewed and reconciled. You are instructed to contact the prescribing physician for any questions related to resuming home medications at discharge. In addition, any medication that has been prescribed as a result of your visit has been noted as well.

I give authorization for the Emergency Department to furnish medical record information to my physician.

CHILD RESTRAINT - California Law Requires All Infants/Children UNDER 5 Years/50 Pounds Be Secured In A Passenger Restraint System When In A Motor Vehicle. In Addition, California Law Requires All Children Over 2 Years/50 Pounds Be Secured In A Properly Fitted Seat Belt If You Need Additional Information, Please Contact CHOC Child Passenger Safety Program, 714-269-4065 (English) or 714-269-4061 (Spanish).

Patient Signature: _____ Date: _____

I have explained the instructions and have given a copy to the patient.

Discharge Personnel Signature: _____ Date: _____

5/17/2012 10:11 AM DATES:

16099619236

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DATE: 05/25/11 @ 0804	AT: Joseph's Hospital ER	PAGE: 1							
USER: MHA MHA	ENT: EMERGENCE REPORT FORMAT-TJBM								
Patient: DAVIS, JOHNNY J	Age/Sex: 74/E	MRN No: 88012337114							
ED Provider: LA ROCHE, BRAD M MD		Unit No: 3601581067							
<u>Patient Information</u>									
ED Physician: LA ROCHE, BRAD M MD	Arrival Date/Time: 05/25/11 1115								
Responsible: GREEN, THOMAS R	Admission Date/Time:								
Surgeon: HERNDON, COLLEEN A									
Chief Complaint: TRAUMATIC PAIN, ARM SWIN SAE ASSAULT History of Present Illness: Alleged Assault Patient Event History:									
05/25/11 1121 Reorientation 1228 NBE With Doctor 1422 Ready for Depart 1442 Depart									
<u>Vital Signs</u>									
Time	Temp	Pulse	RHR	Systolic	Diastolic	Resp	SpO2	Sat	Diast
1211	96.8	107		144	95	18		98	BCUSHER
<u>Notes</u>									
05/25/11 1228 <u>ED Triage Documentation</u> CUSTER, NICHOLE M									
<u>Patient Information</u>									
History of Present Illness: PT states assaulted by 3 law enforcement officers went to speak with NWA agent in regard to an assault sustained by agent on a Dennis Lake minor w/o pain to left arm only with touch tenderness noted in right wrist pain with movement & ROM, no back pain									
Name of Arrival Private Auto Rescheduled By Self To ED Triage Treatment ETA None Patient Medical History:									
Does Patient Have Any Medical History?									
Comment High cholesterol									
<u>Additional Information</u>									
05/25/11 1340 <u>Abuse Screen</u> CUSTER, NICHOLE M									
Abusive Relationship History: History of Abuse in the Last 2 Years: N Do You Feel Unsafe Returning Home: Y									
05/25/11 1427 <u>ED Vital Signs</u> CUSTER, NICHOLE M									
Temperature 98.0; Temperature (Oral/Gated/Rectal): 98.0; Temperature Source: Oral Pulse Rate 87; Respiratory Rate 18; O2 Sat 98; Systolic 144; Diastolic 95; Mean 104 Blood Pressure Location: Left Arm; Blood Pressure Source: Automatic (Cuff); Weight (kg): 87									
05/25/11 1433 <u>RADIC ADULT Triage Assessment</u> CUSTER, NICHOLE M									
RADIC Assessment RRX MDL Except: Obvious Pain Y; Patient Verbal Y; Pain Site: Upper Extremity Pain: Pain Scale: 10/10 verbal; Functional (0-10): Intensity 3; Description: Constant Pain Management Goal 1: Pain Reassessment Reports Pain Tolerable									
05/25/11 1445 <u>Discharge Assessment</u> HERNDON, COLLEEN A									
Discharge Assessment: Financial: Complete; RADIC Assessment: EDX None Disposition: Discharged Home; Education: Learning Preference: Reading Discharge Information: Given: Discharge Instructions: Methods: Verbal Instructions									
Patient: DAVIS, JOHNNY J									

5/1/2012 10:11 AM B2028

19098619288

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DATE: 05/24/11 @ 0904		St. Joseph's Hospital RPT - EMT		PAGE 2
USMR: ECR AMR		RPT SUMMARY REPORT EDWARD-1152		
PATIENT: DAVIS, JOANN L		Age/Sex: 70/F		AGE: 70 SEX: F
ED PROVIDER: LA ROCCA, ERAN M MD				UNIT NO: 100135102
Written Material: Teaching Recipient Patient Response to Teaching Verbalized Understanding: Discharge Medic Ambulatory: Accompanied by Self: Note on Transportation Ambulatory: Main Site Left: Traction Arm				
<u>Diagnosis</u>				
[Diagnosis (Inq: Allergy) FV]				
<u>Disposition</u>				
Primary Impression: Confusion (acute): Suspected Additional Impression: Disposition: HOME; SELF-CARE				
Comment: Conclusion: STABLE				
<u>Referrals</u>				
SNH MD Referral SN: (714) 223-3627 Follow-up Plan: To Wound				
Re-Instructions: BOUND INQUIRY: COMPLICATIONS: FALL - HEAR & USE WHISKEY: MEDICIAN ASSISTANT				
<u>Discharge Status</u>				
PATIENT: DAVIS, JOANN L				

ST. JOSEPH HOSPITAL - ORANGE
 1100 West Stewart Drive
 Orange, Ca. 92868

Guarantor: DAVIS, JOANN L	TOTAL CHARGES:	495.45
Guar Addr: 15271 ALVARADO ST	TOTAL PAYMENTS:	81.11
Guar City: LAKE ELSINORE CA 92530	TOTAL REFUNDS:	
	TOTAL ADJUSTMENTS:	414.34
	CURRENT BALANCE:	0.00

PT NUMBER: AA7012337134 NAME: DAVIS, JOANN L

ZZZMD:

1ST INS: MCAR010	MEDICARE AB	ADM: 05/25/2011	INS GROUP: MCR
2ND INS: UNI1511	UNITED HEALTHCARE INDEMNITY	DIS: 05/25/2011	ACCT TYPE: ER

SERVICE DATE	BATCH NUMBER	BILL #	REV CODE	PROC CODE	DESCRIPTION	QTY	AMOUNT	INS BUCKET
05/30/11	5	1		86400	MCAR010 M-CARE IP & OP CA	1	-0.01	MCAR010
06/16/11	106	1		35299	MEDICARE O/P C/A	1	-394.06	SP
06/16/11	106	1		20000	RJ APPLIED TO DEDUCTABLE	-1	0.00	SP
06/16/11	106	1		20000	RJ APPLIED TO DEDUCTABLE	-1	0.00	SP
06/23/11	189	1		20000	RJ APPLIED TO DEDUCTABLE	-1	0.00	SP
07/29/11	244	1		37070	SMALL BALANCE WRITE OFF (AUTO)	1	-20.27	SP
Sub-Total							-414.34	
ADJ TOTAL:							-414.34	
05/25/11	312	300		41221522	POC DIPSTICK W/O UA	1	56.85	
Sub-Total 300 LABORATORY							56.85	
05/25/11	312	450		41500207	ED LEVEL 2 (BRIEF)	1	438.60	
Sub-Total 450 EMERGENCY ROOM							438.60	
CHG TOTAL:							495.45	
06/16/11	106	1		16050	MEDICARE INS PMT	1	-8.79	SP
06/23/11	189	1		19030	UNITED HEALTHCARE PMT	1	-72.32	SP
Sub-Total							-81.11	
RCP TOTAL:							-81.11	

UNITED STATES POSTAL SERVICE

ORIGIN



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Schlueter i Schlueter
108 Orange St #8
Redlands CA
92373

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 (Printed Name) <u>WHORRY</u></p> <p>C. Date of Delivery <u>6/6/12</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p><u>General Counsel</u> <u>Nat. Aero. & Space Admin.</u> <u>Washington DC</u> <u>20546</u></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number <u>7011 3500 0000 4998 1040</u></p> <p>(Transfer from)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Virginia A. Phillips and the assigned discovery Magistrate Judge is David T. Bristow.

The case number on all documents filed with the Court should read as follows:

EDCV13 - 483 VAP (DTBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Jon Schlueter (106302)/Peter Schlueter (155880)
Schlueter & Schlueter
108 Orange Street, Suite 8
Redlands, CA 92373
Phone: 909.381.4888 / Fax: 909.381.9238
SchltrLegal@aol.com/PeterinLa@aol.com

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Joann Davis, an individual, and Paul Cilley, an individual,

PLAINTIFF(S)
ED
v.
The United States of America, Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia Searle, Gary Lofgren, and Does 1 through 10

DEFENDANT(S).

CASE NUMBER

CV 13 - 0483 VAP(DTBX)

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Peter Schlueter/ Jon Schlueter, whose address is 108 Orange Street, Suite 8, Redlands, CA 92373. If you fail to do so, 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, U.S. District Court

ADRIENE MORRIS

By: _____

Deputy Clerk

(Seal of the Court)



1210

Dated: MAR 14 2013

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

<p>I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) Joann Davis, an individual, and Paul Cilley, an individual,</p>	<p>DEFENDANTS The United States of America, Norman Conley, Thomas Reynolds, Mike Harrison, Robert Schmidt, Patricia Searle, Gary Lofgren, and Does 1 through 10</p>
<p>(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Peter B. Schlueter (155880), Jon R. Schlueter (106302), Schlueter & Schlueter, 108 Orange Street, Suite 8, Redlands, CA 92373 Phone: (909)381-4888, Fax: (909)381-9238</p>	<p>Attorneys (If Known) unknown</p>

<p>II. BASIS OF JURISDICTION (Place an X in one box only.)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input checked="" type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ not less than \$10,000.00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
42 U.S.C. Sect. 1983 - Officers arrested clients without probable cause and used excessive force against Davis and Cilley.

VII. NATURE OF SUIT (Place an X in one box only.)

<p>OTHER STATUTES</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Act</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Info. Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>	<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p> <p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Fed. Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input checked="" type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury-Med Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury-Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 463 Habeas Corpus-Alien Detainee</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>	<p>TORTS</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input checked="" type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p> <p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 445 American with Disabilities - Employment</p> <p><input type="checkbox"/> 446 American with Disabilities - Other</p> <p><input checked="" type="checkbox"/> 440 Other Civil Rights</p>	<p>PRISONER PETITIONS</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence</p> <p><input type="checkbox"/> 530 Habeas Corpus</p> <p><input type="checkbox"/> 535 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus/Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R.R. & Truck</p> <p><input type="checkbox"/> 650 Airline Regs</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input checked="" type="checkbox"/> 690 Other</p>	<p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p>
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FOR OFFICE USE ONLY: Case Number: **ED CV 13 - 0483** VAP (DTB)

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes

If yes, list case number(s): CV12-05904 CBM (CSPx)

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Joann Davis- Riverside Paul Cilley - Riverside	

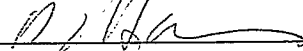
(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Riverside	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
 Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 03/14/2013

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))