

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND  
GREENBELT

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 12-cv-3817
	)	
JAMES M. UNTERREINER II,	)	
11702 Whittier Road	)	
Mitchellville, Maryland 20721	)	
	)	
Defendant.	)	

**COMPLAINT**

Plaintiff, the United States of America, alleges against Defendant, James M.

Unterreiner II ("Unterreiner"), as follows:

1. This is a civil action brought by the United States under 26 U.S.C. §§ 7402(a), 7407, and 7408 to enjoin Unterreiner from directly or indirectly:
  - (a) Acting as a federal tax return preparer or requesting, assisting in, or directing the preparation or filing of federal tax returns, amended returns, or other related documents or forms for any person other than himself and his legal spouse;
  - (b) Advising, assisting, counseling, or instructing anyone about the preparation of a federal income tax return;
  - (c) Engaging in any other activity subject to penalty under 26 U.S.C. §§ 6694, 6695, 6700, and 6701, or any other penalty provision in the Internal Revenue Code;
  - (d) Representing, or appearing on behalf of, any person before the Internal Revenue Service; and
  - (e) Otherwise engaging in any conduct that substantially interferes with the proper administration and enforcement of the Internal Revenue laws.

## **JURISDICTION AND VENUE**

2. This action has been requested by the Chief Counsel of the Internal Revenue Service, a delegate of the Secretary of the Treasury, and commenced at the direction of a delegate of the Attorney General, pursuant to the provisions of 26 U.S.C. §§ 7402(a), 7407, and 7408.

3. Jurisdiction exists under 28 U.S.C. §§ 1340 and 1345 and 26 U.S.C. § 7402(a).

4. Venue is proper in this Court under 28 U.S.C. §§ 1391(b)(1) and (b)(2).

## **JAMES M. UNTERREINER II**

5. Unterreiner resides in Mitchellville, Maryland, within this judicial district.

6. Unterreiner conducted his tax return preparation activities through Tax Resolutions, Inc. (“Tax Resolutions”), a Maryland corporation located in Laurel, Maryland. As a result, a substantial part of the events or omissions giving rise to the United States’ claim occurred within this judicial district.

## **UNTERREINER’S ACTIVITIES**

7. From 2002 until 2003, Unterreiner worked for Irvin H. Catlett Jr. (“Catlett”), the owner of Tax Resolutions, where Unterreiner assisted Catlett and others in marketing and executing a tax evasion scheme whereby Tax Resolutions’ clients purchased purported investments in various sham companies such as Motors Holding Company, Inc., Motors Holding Company II, Motors Holding Company III, Motors

Holding Company IV, Motors Holding Company V, Motors Holding Company VI, Inc. and Rentown, Inc., (“the tax shelter entities”). The “investments” were, in fact, payments for the purchase of bogus tax losses.

8. Unterreiner knowingly prepared, and assisted in the preparation of, false and fraudulent federal tax returns which reported fictitious business losses attributed to the tax shelter entities to which the corresponding taxpayers were not legally entitled. The false and fraudulent federal tax returns prepared by Unterreiner included Individual Income Tax Returns (Form 1040), Corporation Income Tax Returns (Form 1120), and Schedules K-1 (Form 1065).

9. When preparing federal tax returns, Unterreiner would prepare certain returns “backwards,” that is, by first determining each client’s ultimate tax liability and then adding to the return a fictitious loss from a tax shelter entity large enough to offset the client’s tax liability.

10. Unterreiner knowingly prepared false and fraudulent federal returns, communicated with Tax Resolutions’s clients, forged Catlett’s name on federal tax returns, and further perpetuated the tax avoidance scheme described above after Catlett was incarcerated in late 2002.

### **HARM CAUSED BY UNTERREINER**

11. Unterreiner's conduct harms the United States because the clients of Tax Resolutions underreported their correct tax liabilities, thereby depriving the United States of its lawful tax revenues.

12. Unterreiner's scheme ultimately resulted in the filing of more than 200 false and fraudulent federal tax returns, which resulted in a tax loss to the United States in excess of \$3,000,000.

13. The taxpayer clients of Tax Resolutions have been harmed because the tax returns Unterreiner prepared for them substantially understated their correct tax liabilities. As a result, many customers now face large income tax deficiencies, including sizeable penalties and interest.

14. Unterreiner's actions also harm the United States because the Internal Revenue Service must devote a portion of its limited resources to identifying Tax Resolutions's clients, ascertaining their correct tax liabilities, recovering any refunds erroneously issued, and collecting any additional taxes and penalties.

15. Unterreiner's activities also undermine public confidence in the administration of the federal tax system and encourage noncompliance with tax laws.

### **PLEA AGREEMENT**

16. On April 8, 2010, Unterreiner pled guilty in *United States v. Catlett, Jr. et al.*, 8:10-cr-00101-RWT-4 (D. Md. 2011), to one felony count of conspiracy to defraud the

United States for his involvement with the tax evasion scheme described above in paragraphs 7 through 10. Unterreiner was sentenced 9 months of home detention, 3 years of probation, and ordered to pay restitution of \$369,264.

**COUNT I**  
**Injunction Under 26 U.S.C. § 7407 for Conduct**  
**Subject to Penalty Under 26 U.S.C. §§ 6694 and 6695**

17. Plaintiff incorporates by reference the allegations in paragraphs 1 through 16.

18. Under section 7407 of the Internal Revenue Code (26 U.S.C. § 7407), Congress has authorized the United States to seek an injunction against any tax preparer who, among other things, has engaged in any conduct subject to penalty under Code sections 6694 or 6695.

19. If a return preparer's conduct is continual and/or repeated and the court finds that a narrower injunction (i.e., prohibiting specific enumerated conduct) would not be sufficient to prevent the preparer's interference with the proper administration of federal tax laws, the court may enjoin the person from acting as a return preparer.

20. Section 6694(b) of the Code penalizes a tax return preparer who prepares a return or claim for refund with respect to which any part of an understatement of liability is due to:

- a. a willful attempt to understate the liability for tax on the return or claim or
- b. a reckless or intentional disregard of rules or regulations.

21. Paragraphs 7 through 10, above, demonstrate the willful efforts by Unterreiner to understate his customers' proper tax liabilities. It also shows his intentional disregard of Treasury rules and regulations.

22. Injunctive relief is necessary to prevent this continued misconduct because, absent an injunction, Unterreiner is likely to continue preparing federal tax returns for customers, thus enabling them to receive larger refunds than those to which they are legitimately entitled. Penalties and other administrative measures are insufficient to deter his conduct.

23. Unterreiner should be permanently enjoined under 26 U.S.C. § 7407 from acting as an income tax preparer because a more limited injunction would be insufficient to stop his interference with the proper administration of the tax laws.

**COUNT II**  
**Injunction Under 26 U.S.C. § 7408 for Conduct**  
**Subject to Penalty Under 26 U.S.C. §§ 6700 and 6701**

24. Plaintiff incorporates by reference the allegations in paragraphs 1 through 23.

25. Section 7408 of the Code authorizes a district court to enjoin any person from engaging in conduct subject to penalty under 26 U.S.C. §§ 6700 and 6701 if injunctive relief is appropriate to prevent recurrence of such conduct.

26. Section 6700 of the Code penalizes any person who organizes or sells a plan or arrangement, and in connection therewith, makes or furnishes, or causes

another person to make or furnish, a statement regarding the securing of a tax benefit that the person knows or has reason to know is false or fraudulent as to any material matter.

27. Through his promotion of the tax-fraud schemes described in paragraphs 7 through 10, above, Unterreiner made and furnished material false or fraudulent statements regarding the allowability of certain deductions, the excludability of income, and the securing of tax benefits derived from participation in the schemes. Unterreiner knew or had reason to know that these statements were false or fraudulent within the meaning of Code section 6700.

28. Section 6701(a) of the Code penalizes any person who aids or assists in, procures, or advises with respect to the preparation or presentation of a federal tax return, refund claim, or other document knowing (or having reason to believe) that it will be used in connection with any material matter arising under the internal revenue laws and knowing that if it is so used it will result in an understatement of another person's tax liability.

29. Unterreiner prepared tax returns claiming bogus deductions for customers which they were not legitimately entitled, knowing that it would result in his customers understating their federal tax liabilities.

30. If the Court does not enjoin Unterreiner, he is likely to continue to engage in conduct subject to penalty under Code sections 6700 and 6701. Injunctive relief is therefore appropriate under Code section 7408.

**COUNT III**  
**Injunction Under 26 U.S.C § 7402(a)**  
**Necessary to Enforce the Internal Revenue Laws**

31. Plaintiff incorporates by reference the allegations in paragraphs 1 through 30.

32. Section 7402(a) of the Code authorizes a district court to issue orders of injunction as may be necessary or appropriate for the enforcement of the internal revenue laws.

33. Unterreiner, through the actions described in paragraphs 7 through 10, above, has engaged in conduct that substantially interferes with the enforcement of the internal revenue laws.

34. Unless enjoined, Unterreiner is likely to continue to engage in such improper conduct and interfere with the enforcement of the internal revenue laws. If Unterreiner is not enjoined from engaging in fraudulent and deceptive conduct, the United States will suffer irreparable injury by wrongfully issuing federal income tax refunds to individuals not entitled to receive them.

35. Enjoining Unterreiner is in the public interest because an injunction, backed by the Court's contempt powers if needed, will stop Unterreiner's illegal conduct and the harm it causes the United States and its citizens.

36. The Court should impose injunctive relief under 26 U.S.C. § 7402(a).

WHEREFORE, the United States of America prays for the following:

A. That the Court find that Unterreiner has continually and repeatedly engaged in conduct subject to penalty under 26 U.S.C. §§ 6694 and 6695, and has continually and repeatedly engaged in other fraudulent or deceptive conduct that substantially interferes with the administration of the tax laws, and that a narrower injunction prohibiting him from engaging in only this specific misconduct would be insufficient;

B. That the Court, pursuant to 26 U.S.C. § 7407, enter a permanent injunction prohibiting Unterreiner from acting as a federal tax return preparer;

C. That the Court find that Unterreiner has engaged in conduct subject to a penalty under 26 U.S.C. §§ 6700 and 6701, and that injunctive relief under 26 U.S.C. § 7408 is appropriate to prevent a recurrence of that conduct;

D. That the Court find that Unterreiner has engaged in conduct that interferes with the enforcement of the internal revenue laws, and that injunctive relief is

appropriate to prevent the recurrence of that conduct pursuant to the Court's inherent equity powers and 26 U.S.C. § 7402(a);

E. That the Court, pursuant to 26 U.S.C. §§ 7402(a), 7407, and 7408, enter a permanent injunction prohibiting Unterreiner, and all those in active concert or participation with Unterreiner, from:

- (a) Acting as a federal tax return preparer or requesting, assisting in, or directing the preparation or filing of federal tax returns, amended returns, or other related documents or forms for any person other than himself and his legal spouse;
- (b) Advising, assisting, counseling, or instructing anyone about the preparation of a federal income tax return;
- (c) Engaging in any other activity subject to penalty under 26 U.S.C. §§ 6694, 6695, 6700, 6701 or any other penalty provision in the Internal Revenue Code;
- (d) Representing, or appearing on behalf of, any person before the Internal Revenue Service; and
- (e) Otherwise engaging in any conduct that substantially interferes with the proper administration and enforcement of the Internal Revenue laws.

F. That the Court, pursuant to 26 U.S.C. §§ 7402(a), 7407, and 7408, enter an order requiring Unterreiner to contact, within 30 days of the Court's order, by United States mail and, if an e-mail address is known, by e-mail, all persons for whom he prepared, or assisted in preparing, federal tax returns to inform them of the permanent injunction entered against him;

G. That the Court, pursuant to 26 U.S.C. §§ 7402(a), 7407, and 7408, enter an order requiring Unterreiner to produce to counsel for the United States, within 30 days of the Court's order, a list that identifies by name, social security number, address, e-mail address, and telephone number and tax period(s), all persons for whom he prepared, or assisted in preparing, federal tax returns;

H. That the Court retain jurisdiction over Unterreiner and over this action to enforce the terms of any permanent injunction entered against him;

I. That the United States be entitled to conduct discovery to monitor Unterreiner's compliance with the terms of any permanent injunction entered against him; and

J. That the Court grant the United States such other and further relief, including costs, as is just and reasonable.

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Dated: December 31, 2012

KATHRYN KENEALLY  
Assistant Attorney General, Tax Division

/s/ Andrew C. Strelka  
ANDREW C. STRELKA  
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CT BAR # 429501  
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OF COUNSEL:  
ROD J. ROSENSTEIN  
United States Attorney

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
United States of America
(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)
(c) Attorneys (Firm Name, Address, and Telephone Number)
Andrew C. Strelka, U.S. Department of Justice, Post Office Box 227, Ben Franklin Station, Washington, D.C. 20044, Telephone: (202) 616-8994

DEFENDANTS
James M. Unterreiner II
County of Residence of First Listed Defendant Prince George's County
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
[X] 1 U.S. Government Plaintiff
[ ] 2 U.S. Government Defendant
[ ] 3 Federal Question (U.S. Government Not a Party)
[ ] 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)
PTF DEF
Citizen of This State [ ] 1 [ ] 1
Citizen of Another State [ ] 2 [ ] 2
Citizen or Subject of a Foreign Country [ ] 3 [ ] 3
Incorporated or Principal Place of Business In This State [ ] 4 [ ] 4
Incorporated and Principal Place of Business In Another State [ ] 5 [ ] 5
Foreign Nation [ ] 6 [ ] 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT
[ ] 110 Insurance
[ ] 120 Marine
[ ] 130 Miller Act
[ ] 140 Negotiable Instrument
[ ] 150 Recovery of Overpayment & Enforcement of Judgment
[ ] 151 Medicare Act
[ ] 152 Recovery of Defaulted Student Loans (Excl. Veterans)
[ ] 153 Recovery of Overpayment of Veteran's Benefits
[ ] 160 Stockholders' Suits
[ ] 190 Other Contract
[ ] 195 Contract Product Liability
[ ] 196 Franchise
PERSONAL INJURY
[ ] 310 Airplane
[ ] 315 Airplane Product Liability
[ ] 320 Assault, Libel & Slander
[ ] 330 Federal Employers' Liability
[ ] 340 Marine
[ ] 345 Marine Product Liability
[ ] 350 Motor Vehicle
[ ] 355 Motor Vehicle Product Liability
[ ] 360 Other Personal Injury
[ ] 362 Personal Injury - Med. Malpractice
PERSONAL INJURY
[ ] 365 Personal Injury - Product Liability
[ ] 367 Health Care/Pharmaceutical Personal Injury Product Liability
[ ] 368 Asbestos Personal Injury Product Liability
PERSONAL PROPERTY
[ ] 370 Other Fraud
[ ] 371 Truth in Lending
[ ] 380 Other Personal Property Damage
[ ] 385 Property Damage Product Liability
FORFEITURE/PENALTY
[ ] 625 Drug Related Seizure of Property 21 USC 881
[ ] 690 Other
LABOR
[ ] 710 Fair Labor Standards Act
[ ] 720 Labor/Mgmt. Relations
[ ] 740 Railway Labor Act
[ ] 751 Family and Medical Leave Act
[ ] 790 Other Labor Litigation
[ ] 791 Empl. Ret. Inc. Security Act
IMMIGRATION
[ ] 462 Naturalization Application
[ ] 463 Habeas Corpus - Alien Detainee (Prisoner Petition)
[ ] 465 Other Immigration Actions
BANKRUPTCY
[ ] 422 Appeal 28 USC 158
[ ] 423 Withdrawal 28 USC 157
PROPERTY RIGHTS
[ ] 820 Copyrights
[ ] 830 Patent
[ ] 840 Trademark
SOCIAL SECURITY
[ ] 861 HIA (1395ff)
[ ] 862 Black Lung (923)
[ ] 863 DIWC/DIWW (405(g))
[ ] 864 SSID Title XVI
[ ] 865 RSI (405(g))
FEDERAL TAX SUITS
[X] 870 Taxes (U.S. Plaintiff or Defendant)
[ ] 871 IRS—Third Party 26 USC 7609
OTHER STATUTES
[ ] 375 False Claims Act
[ ] 400 State Reapportionment
[ ] 410 Antitrust
[ ] 430 Banks and Banking
[ ] 450 Commerce
[ ] 460 Deportation
[ ] 470 Racketeer Influenced and Corrupt Organizations
[ ] 480 Consumer Credit
[ ] 490 Cable/Sat TV
[ ] 850 Securities/Commodities/Exchange
[ ] 890 Other Statutory Actions
[ ] 891 Agricultural Acts
[ ] 893 Environmental Matters
[ ] 895 Freedom of Information Act
[ ] 896 Arbitration
[ ] 899 Administrative Procedure Act/Review or Appeal of Agency Decision
[ ] 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
[X] 1 Original Proceeding
[ ] 2 Removed from State Court
[ ] 3 Remanded from Appellate Court
[ ] 4 Reinstated or Reopened
[ ] 5 Transferred from another district (specify)
[ ] 6 Multidistrict Litigation

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
26 U.S.C. Sections 7402(a), 7407, and 7408
Brief description of cause:
Enjoin Defendant from, inter alia, acting as a tax return preparer.

VII. REQUESTED IN COMPLAINT:
[ ] CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ 0.00 CHECK YES only if demanded in complaint: JURY DEMAND: [ ] Yes [X] No

VIII. RELATED CASE(S) IF ANY (See instructions):
JUDGE Robert W. Titus DOCKET NUMBER 8:10-cr-00101-RWT

DATE 12/31/2012 SIGNATURE OF ATTORNEY OF RECORD /s/ Andrew C. Strelka

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, (except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.**

Example: U.S. Civil Statute: 47 USC 553  
Brief Description: Unauthorized reception of cable service

**VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

for the

District of Maryland

UNITED STATES OF AMERICA,

Plaintiff

v.

JAMES M. UNTERREINER II,

Defendant

Civil Action No. 12-cv-3817

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) JAMES M. UNTERREINER II
11702 Whittier Road
Mitchellville, Maryland 20721

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

ANDREW C. STRELKA
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 227
Washington, DC 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

Civil Action No. 12-cv-3817

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify):* \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: