

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

REPRODUCTIVE FREEDOM FOR ALL,
1725 Eye Street NW, Suite 900
Washington, DC 20006

Plaintiff,

v.

U.S. FOOD AND DRUG ADMINISTRATION
10903 New Hampshire Ave
Silver Spring, MD 20993,

CENTERS FOR MEDICARE & MEDICAID
SERVICES
7500 Security Boulevard
Baltimore, Maryland 21244

Defendants.

Case No. 25-cv-3565

COMPLAINT FOR INJUNCTIVE RELIEF

Plaintiff Reproductive Freedom for All (“RFA”) brings this action against Defendants U.S. Food and Drug Administration (“FDA”) and Centers for Medicare and Medicaid Services (“CMS”) to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Plaintiff alleges as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.

2. Venue is proper in this district pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e)(1), because Defendants' headquarters and the agency records at issue are situated in this District.

Parties

3. Plaintiff RFA is a national, not-for-profit organization that works to protect and advance reproductive freedom at the federal and state levels.

4. Defendant FDA is a federal agency within the meaning of FOIA, 5 U.S.C. § 552(f)(1), and is headquartered in this District. FDA is in possession, custody, and control of records, which are located in this jurisdiction and to which Plaintiff seeks access.

5. Defendant CMS is a federal agency within the meaning of FOIA, 5 U.S.C. § 552(f)(1), and is headquartered in this District. CMS is in possession, custody, and control of records, which are located in this jurisdiction and to which Plaintiff seeks access.

Facts

6. The second Trump administration has taken actions to limit access to critical reproductive healthcare.¹

7. One such action is the opening of an FDA review of mifepristone, a medication that has been available for decades, following political pressure rather than scientific developments calling the drug's safety into question.² Medication abortion is currently used to provide more than half of all abortion care nationwide and mifepristone has been safely used for decades by millions

¹ Chantelle Kee, *Here are Trump's Major Moves Affecting Access to Reproductive Healthcare*, TIME, Feb. 20, 2025, <https://perma.cc/LDS7-4Z9R>.

² Alejandra O'Connell-Domenech, *FDA commissioner pledges to investigate Mifepristone*, The Hill, Jun. 3, 2025, <https://perma.cc/3YXJ-FRHF>; Susan Rinkunas, *RFK Jr Orders Mifepristone Review as Anti-Abortion Groups Push for Ban*, The Guardian, May 14, 2025, <https://perma.cc/C4M8-UDF2>.

of people. Baselessly restricting access to mifepristone would have devastating effects on people's ability to access critical health care across the country, in addition to undermining drug innovation and threatening the future development and approval of lifesaving medicines.

8. CMS additionally rescinded 2022 guidance explaining the Emergency Medicine Treatment and Active Labor Act ("EMTALA"), which requires hospitals with emergency departments receiving Medicare funds to provide abortion care to pregnant patients experiencing emergency medical conditions where that care is the necessary stabilizing treatment.³ The rescission threatens to sow further legal confusion for medical providers and put the lives and health of pregnant patients at further risk. Since the Supreme Court overturned *Roe v. Wade*,⁴ These senseless tragedies threaten to increase if CMS and lawmakers continue to prioritize anti-abortion extremists over the health of pregnant women and medical science.

9. To shed light on these actions taken by FDA and CMS, and on the priorities and actions of those agencies' leaders, RFA filed the following FOIA requests:

FDA Calendars, Communications, Contracts, and Guidance Request (FDA-FOIA-2025-9410)

10. On August 4, 2025, RFA sent a FOIA request to FDA seeking the following:

- (1) All calendar entries (including attendees, calendar invitations, calendar invitation attachments) of Food and Drug Administration (FDA) Commissioner Marty Makary, Chief of Staff Jim Traficant, and Deputy Commissioner Lowell M. Zeta concerning government business.
- (2) All materials used by or provided to Commissioner Makary in preparation for his March 6, 2025 and May 22, 2025 congressional

³ Amanda Seitz and Geoff Mulvihill, *Trump Administration Revokes Guidance Requiring Hospitals to Provide Emergency Abortions*, Associated Press, June 3, 2025, <https://perma.cc/T7PK-LAXN>.

⁴ Amanda Seitz, *Dozens of Pregnant Women, Some Bleeding or in Labor, Are Turned Away from ERs Despite Federal Law*, Associated Press, Aug. 14, 2024, <https://perma.cc/YEQ5-NGKF>.

testimony that concern abortion, mifepristone, misoprostol, other reproductive healthcare, the Comstock Act, or the Ethics and Public Policy Center (EPPC). Such records would likely include talking points, background memoranda, and sample questions and answers.

- (3) All communications (including emails, memoranda, and text messages (including on applications such as Signal and WhatsApp)) of (a) Commissioner Makary, Chief of Staff Traficant, Deputy Commissioner Lowell M. Zeta, and any other political appointee at FDA concerning (b) abortion, mifepristone, misoprostol, other reproductive healthcare, the Comstock Act, or the Ethics and Public Policy Center (EPPC).
- (4) All directives or guidance issued by Commissioner Makary, Chief of Staff Traficant, Deputy Commissioner Lowell M. Zeta, and any other political appointee at FDA regarding mifepristone, misoprostol, or any other medication related to abortion, including, but not limited to, directives concerning reviews of such medications.
- (5) Records sufficient to show all FDA staff and contracts carrying out any review of mifepristone, misoprostol, or any other medication related to abortion.
- (6) All communications (including emails, memoranda, and text messages (including on applications such as Signal and WhatsApp)) of (a) Commissioner Makary, Chief of Staff Traficant, Deputy Commissioner Lowell M. Zeta, and any other political appointee at FDA with (b) the entities listed below:

External Organizations

- I. National Right to Life Committee (@nrlc.org)
- II. Americans United for Life (@aul.org)
- III. Students for Life of America (@studentsforlife.org)
- IV. Susan B. Anthony Pro-Life America (@sbapro-life.org)
- V. Alliance Defending Freedom, including Erik Baptist (@adflegal.org)
- VI. Ethics in Public Policy Center (@eppc.org)
- VII. Senator Josh Hawley or his staff (@hawley.senate.gov)
- VIII. Jonathan Mitchell (jonathan@mitchell.law)

11. This request sought records from March 1, 2025, until the date of the search.
12. On August 5, 2025, FDA acknowledged this request and assigned it tracking number FDA-FOIA-2025-9410.

13. When acknowledging the request, FDA stated there may be a delay in processing this request.

14. On August 7, 2025, FDA informed RFA that the request was submitted to FDA's E-Discovery Team.

15. RFA has received no subsequent communication from FDA regarding this FOIA request.

CMS Calendars, Communications, Contracts, and Guidance Request (080420257064)

16. On August 4, 2025, RFA sent a FOIA request to CMS seeking the following:

- (1) All calendar entries (including attendees, calendar invitations, calendar invitation attachments) of Centers for Medicare and Medicaid Services (CMS) Administrator Mehmet Oz, Deputy Administrator and Chief of Staff Stephanie Carlton, and Deputy Administrator John Brooks concerning government business.
- (2) All materials used by or provided to now-Administrator OZ in preparation for his March 14, 2025 congressional testimony that concern abortion or EMTALA. Such records would likely include talking points, background memoranda, and sample questions and answers.
- (3) All communications (including emails, memoranda, and text messages (including on applications such as Signal and WhatsApp)) of (a) CMS Administrator Mehmet Oz, Deputy Administrator and Chief of Staff Stephanie Carlton, and Deputy Administrator John Brooks, and any other political appointee at CMS concerning (b) abortion or EMTALA.
- (4) All directives or guidance issued by CMS Administrator Mehmet Oz, Deputy Administrator and Chief of Staff Stephanie Carlton, and Deputy Administrator John Brooks, and any other political appointee at CMS regarding abortion or EMTALA.
- (5) All communications (including emails, memoranda, and text messages (including on applications such as Signal and WhatsApp)) of (a) Centers for Medicare and Medicaid Services (CMS) Administrator Mehmet Oz, Deputy Administrator and Chief of Staff Stephanie Carlton, and Deputy Administrator John

Brooks, and any other political appointee at CMS with (b) the entities listed below:

External Organizations

- I. National Right to Life. Committee (@nrlc.org)
- II. Americans United for Life (@aul.org)
- III. Students for Life of America (@studentsforlife.org)
- IV. Susan B. Anthony Pro-Life America (@sbaprolife.org)
- V. Alliance Defending Freedom, including Erik Baptist (@adflegal.org)
- VI. Ethics in Public Policy Center (@eppc.org)
- VII. Senator Josh Hawley or his staff (@hawley.senate.gov)
- VIII. Jonathan Mitchell (jonathan@mitchell.law)

- (6) All analyses of the impacts, including on the availability of life-saving care, of the rescission of CMS's July 2022 guidance titled "Reinforcement of EMTALA Obligations specific to Patients who are Pregnant or are Experiencing Pregnancy Loss."

17. This request sought records from February 1, 2025, until the date of the search.

18. On August 11, 2025, CMS acknowledged this request and assigned it tracking number 080420257064.

19. On September 3, 2025, CMS updated the status of this request to "responsive records returned to the FOIA office for review and disclosure analysis" and indicated an "undetermined" projected date of response in its online portal.

20. RFA has received no subsequent communication from CMS regarding this FOIA request.

Exhaustion of Administrative Remedies

21. As of the date of this Complaint, Defendants have failed to notify RFA of determinations regarding the FOIA requests described herein. Through Defendants' failure to respond within the time limits required by law, RFA has constructively exhausted administrative remedies on these requests.

CLAIMS FOR RELIEF

Count 1 (Violation of FOIA, 5 U.S.C. § 552, Failure to Respond with Determinations)

1. Plaintiff incorporates by reference the foregoing paragraphs as though fully set forth herein.

2. By failing to respond to Plaintiff's FOIA requests with determinations within the statutorily mandated time period, Defendants have violated their duties under 5 U.S.C. § 552, including but not limited to, the duties to conduct a reasonable search for responsive records, to take reasonable steps to release all nonexempt information, and to not withhold responsive records.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff requests that this Court:

1. Order Defendants to conduct adequate searches for any and all responsive records to Plaintiff's FOIA requests using search methods reasonably calculated to lead to discovery of all responsive records;
2. Order Defendants to produce, by a date certain, any and all non-exempt responsive records and a *Vaughn* index of any responsive records withheld under a claim of exemption;
3. Enjoin Defendants from continuing to withhold any and all non-exempt responsive records;
4. Order Defendants to grant Plaintiff's fee waiver requests;
5. Award Plaintiff its costs, attorneys' fees, and other disbursements for this action;
and
6. Grant any other relief this Court deems appropriate.

Dated: October 30, 2025

Respectfully submitted,

/s/ Daniel A. McGrath

Daniel A. McGrath

(Bar No. 31501)

Anisha N. Hindocha*

(D.C. Bar No. 1725159)

Robin F. Thurston

(Bar No. 31584)

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

(202) 448-9090

dmcgrath@democracyforward.org

ahindocha@democracyforward.org

rthurston@democracyforward.org

Counsel for Plaintiff Reproductive Freedom
for All

**pro hac vice* forthcoming

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

Reproductive Freedom for All

(b) County of Residence of First Listed Plaintiff District of Columbia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

See attachment.

DEFENDANTS

U.S. Food and Drug Administration; Centers for Medicare and Medicaid Services

County of Residence of First Listed Defendant _____
(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)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant ☐ 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)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 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 (Excludes 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 - Medical 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	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 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 ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 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
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. 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 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
5 U.S.C. § 552 (Freedom of Information Act)
Brief description of cause:
Compel compliance with the Freedom of Information Act ("FOIA")

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$**

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

10/30/2025

SIGNATURE OF ATTORNEY OF RECORD

/ s / Daniel McGrath

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Case 8:25-cv-03565-GLS Document 1-1 Filed 10/30/25 Page 2 of 3
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.Cv.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; **NOTE: 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 there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- 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.
- 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 – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- 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 actual dollar amount 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.

Attachment to Civil Cover Sheet

1(c)- Attorneys for Plaintiff:

Daniel McGrath, Anisha Hindocha, Robin Thurston
Democracy Forward Foundation
P.O. Box 34553, Washington, D.C. 20043
Tel: 202-448-9090

District of Maryland

Civil Action No. 25-cv-

To: *(Defendant's name and address)* c/o Civil Process Clerk
U.S. Attorney's Office for the District of Maryland
36 S. Charles Street, 4th Floor,
Baltimore, MD 21201

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:

Daniel McGrath
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

Signature of Clerk or Deputy Clerk

Civil Action No. 25-cv-

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:

District of Maryland

Civil Action No. 25-cv-

To: *(Defendant's name and address)* PAM BONDI, in her official capacity as Attorney General of the United States
950 Pennsylvania Ave NW,
Washington, D.C. 20530

Daniel McGrath
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

Signature of Clerk or Deputy Clerk

Civil Action No. 25-cv-

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:

District of Maryland

Civil Action No. 25-cv-

To: *(Defendant's name and address)* Chief Counsel, Food and Drug Administration
ATTENTION: LITIGATION
White Oak Building 31, Room 4544
10903 New Hampshire Ave.,
Silver Spring, MD 20993-0002.

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:

Daniel McGrath
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

Signature of Clerk or Deputy Clerk

Civil Action No. 25-cv-

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:

District of Maryland

Civil Action No. 25-cv-

To: *(Defendant's name and address)* CENTERS FOR MEDICARE & MEDICAID SERVICES
7500 Security Boulevard
Baltimore, Maryland 21244

Daniel McGrath
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

Signature of Clerk or Deputy Clerk

Civil Action No. 25-cv-

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)* _____
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☐ 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: