

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

Cause No.: 8:12-cv-02519-EAK-AEP

HOWSE <i>ex rel. alia</i> v. PLANNED PARENTHOOD, <i>et al.</i> ,)	Class Action Complaint
Plaintiffs and Defendants,)	
)	Injunctive Relief Sought
<i>and</i> ,)	
)	Constitutional Challenge
HOWSE and <i>ex rel. alia</i> v. UNITED STATES,)	
Cross-Plaintiffs and Cross-Defendant.)	Demand for Jury Trial

**Affidavit in Support of Request for Clerk’s
Entry of Default Upon Defendant Choice USA**

Now hereby I the affiant, Torm Howse, do declare under penalty of perjury that the following facts are true and correct to the best of my information and belief:

1. I am the undersigned Relator-Plaintiff in this action *ex rel.* the fifty-one (51) State, Commonwealth, and U.S. Federal Government Plaintiffs, against the named Defendants.
2. The instant verified complaint package was filed herein on 6 November 2012, and was also served upon Defendant the same day, while summons was separately served on Defendant the following day, 7 November 2012, to *doubly* ensure giving notice of suit.
3. Said complaint package – as the **initial** notice of suit – was received by Defendant on 9 November 2012, and the Defendant separately received summons – as the **second** formal notice of suit – on 14 November 2012; *See*, corresponding Returns of Service.
4. Further, on 7 November 2012, this Court designated this case as a Track Three case and ordered this Relator-Plaintiff to serve upon all Defendants copies of said Order plus

accompanying paperwork and forms for related matters, which Relator-Plaintiff then so served upon the Defendant – said Court Order constituting the **third** formal notice of suit.

5. Moreover, in the meantime, all Defendants have been even *further* served separate mailings of *additional* filings made within the Court by the undersigned Relator-Plaintiff.

6. Accordingly, Defendant has not *just* received the one (1) formal notice of suit by law required, but has actually received *multiple* formal notices of suit, *even* Court Order within the third (3rd) such formal notice of suit, and yet Defendant has allowed to pass **over double the time allotted** in which to plead or otherwise defend as provided by the Federal Rules of Civil Procedure, still yet without so much as *even filing any appearance*.

Respectfully submitted,

/s/ Torm Howse

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VERIFICATION

I hereby declare, verify, certify and state, pursuant to the penalties of perjury under the laws of the United States, and particularly by the provisions of 28 USC § 1746, that all of the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed at _____Spring_Hill_____, Florida, this __2nd__ day of January, 2013.

/s/ Torm Howse

Torm Howse