

**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 EMILY’s List**

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 8 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 (3<sup>rd</sup>) 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 \_\_2<sup>nd</sup>\_\_ day of January, 2013.

/s/ Torm Howse

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Torm Howse