

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
KRISTIE SMALL,)	Case No. 1:19-cv-1314
6348 Cavalier Corridor)	
Falls Church, VA 22044)	
)	
Plaintiff,)	
)	
v.)	JURY TRIAL DEMANDED
)	
OFFICE OF CONGRESSMAN)	
HENRY CUELLAR,)	
2372 Rayburn House Office Building)	
Washington, DC 20515,)	
)	
Defendant.)	
_____)	

COMPLAINT

Plaintiff KRISTIE SMALL, by her undersigned counsel, and complains of Defendant OFFICE OF CONGRESSMAN HENRY CUELLAR as follows:

NATURE OF THE CASE

1. Hiring Kristie Small as Deputy Chief of Staff was an easy decision for Congressman Henry Cuellar. Small was an ideal candidate for the position. She has a degree in Political Science and 14 years of experience working on Capitol Hill. Her record is outstanding, and she welcomes a challenge. Small began working for Cuellar on June 1, 2018. She dove into her new duties —training staff in DC and Texas, familiarizing herself with Cuellar’s legislative issues, and improving office efficiency. She received positive feedback from both Cuellar and his staff.
2. But everything changed on August 8, 2018. Shortly after she began working for Cuellar, Small learned that she was pregnant. On August 8, she emailed Cuellar to request maternity

leave, per office policy. Cuellar responded: “Ok let’s talk about this and probation period for you as I have for every new employee.” This was curious. Cuellar had never mentioned a probation period before he learned about Small’s pregnancy. Contrary to what he said, none of the other employees had been on a probationary period. However, none of those employees were pregnant women.

3. On October 16, 2018, Cuellar called Small on the phone and fired her for failing to perform during a probationary period that only applied to pregnant female employees. This is an action to recover damages for Defendant’s unlawful discrimination, in violation of the Congressional Accountability Act (“CAA”).

JURISDICTION AND VENUE

4. This Court has jurisdiction over the claims pursuant to 2 U.S.C. § 1408(a). Plaintiff (a) is a covered employee by virtue of her employment with Defendant; (b) completed counseling and mediation pursuant to 2 U.S.C. §§ 1402–03; and (c) timely filed this civil action.
5. Venue is proper because Defendant formerly employed Plaintiff in the District of Columbia.

THE PARTIES

6. During the relevant time period, Plaintiff was Defendant’s employee within the meaning and subject to the protections of the CAA.
7. Defendant is a federal legislative entity primarily located in the U.S. Capitol Complex in Washington, DC.
8. During the relevant time period, Defendant was Plaintiff’s employer within the meaning and subject to the requirements of Title VII of the Civil Rights Act of 1964, as applied by the CAA.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

9. Plaintiff exhausted her administrative remedies pursuant to the CAA.

10. On October 23, 2018, Plaintiff submitted a request for counseling for claims of sex discrimination and pregnancy discrimination.
11. The mediation period began on November 20, 2018, and ended on February 5, 2019.
12. Plaintiff timely files this Complaint no sooner than 30 days, but no later than 90 days, from the end of mediation.

FACTS

Plaintiff is a member of a protected class.

13. Plaintiff is female, as is evident based on her name, physical appearance, and other indicators.
14. Defendant learned that Plaintiff is female when Cuellar interviewed Plaintiff in May 2018.
15. During the relevant time period, Plaintiff was pregnant.
16. Plaintiff informed Cuellar about her pregnancy on August 8, 2018.

Plaintiff has 14 years of experience working on Capitol Hill.

17. Plaintiff graduated from West Virginia University with a bachelor's degree in Political Science and a concentration in English.
18. Shortly thereafter, Plaintiff began working on Capitol Hill as a Scheduler/Staff Assistant.
19. She excelled in her role and was promoted to Legislative Assistant the following year.
20. In May 2007, Plaintiff became a Professional Staff member for a standing committee in the U.S. House of Representatives.
21. Plaintiff had an excellent performance record and no history of misconduct.

Cuellar hired Plaintiff as Deputy Chief of Staff.

22. In May 2018, Plaintiff applied to work for Defendant as Cuellar's Deputy Chief of Staff.
23. Cuellar learned that Plaintiff is female when he first interviewed her in May 2018.

24. At a subsequent interview, Cuellar offered Plaintiff the position of Deputy Chief of Staff, and Plaintiff accepted.

Plaintiff successfully performed her job duties.

25. Plaintiff began her employment with Defendant on June 1, 2018.

26. Throughout Plaintiff's employment with Defendant, the Chief of Staff position was vacant.

27. Therefore, Plaintiff served as Acting Chief of Staff, and she reported directly to Cuellar.

28. Plaintiff's duties included serving as Cuellar's principal liaison; supervising employees; reviewing and approving work product; establishing office policies and procedures; and overseeing the office budget and operations.

29. Plaintiff immediately encountered significant challenges. Cuellar's office was disorganized and lacked policies and procedures.

30. Plaintiff generally worked at least 10 hours each day to complete her assigned duties, as well as to resolve long-standing administrative issues.

31. Despite Plaintiff's heavy workload and numerous responsibilities, she made significant improvements in the office by establishing policies and procedures, conducting staff training, and improving overall efficiency.

32. Cuellar was aware of Plaintiff's long hours and resolution of many long-standing issues because she sent him an email at the end of each day outlining her accomplishments for the day, per Cuellar's request.

33. Cuellar and his staff gave Plaintiff positive feedback about her performances and the changes she was implementing in the office.

Cuellar put Plaintiff on probation after learning she was pregnant.

34. Shortly after she began working for Cuellar, Plaintiff learned that she was pregnant.

35. Pursuant to the Employee Handbook, Plaintiff was entitled to 12 weeks of paid maternity leave.
36. On August 8, 2018, Plaintiff emailed Cuellar to advise that she was pregnant and to request maternity leave, per the Employee Handbook:

Hi Sir,

Attached I have provided an excerpt from the office maternity leave policy along with my written request for leave. I have also included the pre-natal appointments process for your information. I can go over this with you at any time I just wanted to make sure it was on your radar. Thank you.

37. That afternoon, Cuellar responded by email:

Ok let's talk about this and probation period for you as I have for every new employee. Trying to finish all items for tomorrow and for Friday. Need your help. Also, I have two interviews tomorrow morning and no one has asked: What do you need? Need your help.

(emphasis added).

38. This was the first time Cuellar said anything about a probation period. He later informed Plaintiff that she was subject to a 90-day probation period.
39. The Employee Handbook did not mention a probationary period.
40. Plaintiff asked several of her colleagues about probation. None of them had been on a probationary period or knew anything about it.
41. As far as she knows, Plaintiff was the only pregnant female employee, and she was the only employee subject to a probationary period.

Cuellar gave Plaintiff positive feedback on September 5, 2018.

42. On September 5, 2018, Cuellar met with Plaintiff to discuss her performance during the 90-day probationary period established when Plaintiff requested maternity leave.
43. Cuellar told Plaintiff that she was doing a good job and had a great attitude, but that she

needed to work on a few issues.

44. However, Cuellar's criticisms were false.
45. Most of the issues Cuellar mentioned predated Plaintiff's employment, and all of them had improved since Plaintiff joined the office.
46. Cuellar knew about those improvements because Plaintiff sent him daily status reports and otherwise kept him updated about her work.
47. Cuellar told Plaintiff they would meet in 30 days to revisit the issues discussed, thus extending the 90-day probationary period by 30 days.
48. After the meeting, Plaintiff continued to successfully perform her duties.

Cuellar fired Plaintiff on October 16, 2018.

49. Cuellar scheduled a call with Plaintiff on October 16, 2018, to discuss her performance during the extension of the probationary period.
50. On October 16, 2018, Cuellar called Plaintiff and terminated her employment for failure to perform during the probationary period.
51. At Plaintiff's request, Cuellar identified the specific tasks he claimed she failed to complete.
52. However, the reasons Cuellar gave for firing Plaintiff were false.
53. Plaintiff successfully completed the tasks Cuellar identified and otherwise performed her assigned duties throughout her employment.
54. Defendant's conduct had a devastating impact on Plaintiff's life.
55. Approximately two weeks after Defendant fired her, Plaintiff delivered her baby, who was stillborn. At the time, Plaintiff was 30 weeks pregnant.

COUNT 1

(2 U.S.C. § 1311(a)(1) – Sex Discrimination)

56. Plaintiff repeats and realleges paragraphs 1–55, above, as if fully set forth herein.

57. Defendant terminated Plaintiff's employment on the basis of gender and sex.
58. By and through its conduct, Defendant discriminated against Plaintiff in violation of the CAA.
59. Defendant's actions were intentional, reckless, and/or malicious.
60. As a result, Plaintiff has suffered damages, including lost wages and benefits, pain and suffering, emotional distress, and mental anguish.

COUNT 2

(2 U.S.C. § 1311(a)(1) – Pregnancy Discrimination)

61. Plaintiff repeats and realleges paragraphs 1–60, above, as if fully set forth herein.
62. Defendant terminated Plaintiff's employment on the basis of pregnancy.
63. By and through its conduct, Defendant discriminated against Plaintiff in violation of the CAA.
64. Defendant' actions were intentional, reckless, and/or malicious.
65. As a result, Plaintiff has suffered damages, including lost wages and benefits, pain and suffering, emotional distress, and mental anguish.

JURY DEMAND

Plaintiff demands a trial by jury on all Counts.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment against Defendant on all counts and award Plaintiff reinstatement; lost wages and benefits; compensatory damages in the amount of \$300,000 for pain and suffering and emotional distress; pre- and post-judgment interest; costs; attorney's fees; and any such other relief as is just and proper.

Date: May 6, 2019

Respectfully submitted,

ALAN LESCHT AND ASSOCIATES, P.C.

By: /s/ Sara McDonough

Alan Lescht [441691]

Sara McDonough [1022641]

Krista Wallace [1048016]

1825 K Street NW, Suite 750

Washington, DC 20006

Tel (202) 463-6036

Fax (202) 463-6067

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krista.wallace@leschtlaw.com

Counsel for Plaintiff

CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)

<p>I. (a) PLAINTIFFS</p> <p style="text-align: center; font-size: 1.2em;">KRISTIE SMALL</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>Fairfax, VA</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p>	<p>DEFENDANTS</p> <p style="text-align: center; font-size: 1.2em;">OFFICE OF CONGRESSMAN HENRY CUELLAR</p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT <u>Wash., DC</u> (IN U.S. PLAINTIFF CASES ONLY) <small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small></p>																								
<p>(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)</p> <p>Sara McDonough Alan Lescht and Associates, P.C. 1825 K Street, NW, Suite 750 Washington, DC 20006</p>	<p>ATTORNEYS (IF KNOWN)</p>																								
<p>II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)</p> <p><input type="radio"/> 1 U.S. Government Plaintiff <input checked="" type="radio"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="radio"/> 2 U.S. Government Defendant <input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!</p> <table style="width:100%; border: none;"> <thead> <tr> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 4</td> <td style="text-align: center;"><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
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Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6																				

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<p><input type="radio"/> A. Antitrust</p> <p><input checked="" type="checkbox"/> 410 Antitrust</p>	<p><input type="radio"/> B. Personal Injury/Malpractice</p> <p><input checked="" type="checkbox"/> 310 Airplane <input checked="" type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input checked="" type="checkbox"/> 330 Federal Employers Liability <input checked="" type="checkbox"/> 340 Marine <input checked="" type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input checked="" type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Medical Malpractice <input checked="" type="checkbox"/> 365 Product Liability <input checked="" type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input checked="" type="checkbox"/> 368 Asbestos Product Liability</p>	<p><input type="radio"/> C. Administrative Agency Review</p> <p><input checked="" type="checkbox"/> 151 Medicare Act</p> <p><u>Social Security</u> <input checked="" type="checkbox"/> 861 HIA (1395ff) <input checked="" type="checkbox"/> 862 Black Lung (923) <input checked="" type="checkbox"/> 863 DIWC/DIWW (405(g)) <input checked="" type="checkbox"/> 864 SSID Title XVI <input checked="" type="checkbox"/> 865 RSI (405(g))</p> <p><u>Other Statutes</u> <input checked="" type="checkbox"/> 891 Agricultural Acts <input checked="" type="checkbox"/> 893 Environmental Matters <input checked="" type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)</p>	<p><input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction</p> <p>Any nature of suit from any category may be selected for this category of case assignment.</p> <p>*(If Antitrust, then A governs)*</p>
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E. General Civil (Other)

OR

F. Pro Se General Civil

<p><u>Real Property</u> <input checked="" type="checkbox"/> 210 Land Condemnation <input checked="" type="checkbox"/> 220 Foreclosure <input checked="" type="checkbox"/> 230 Rent, Lease & Ejectment <input checked="" type="checkbox"/> 240 Torts to Land <input checked="" type="checkbox"/> 245 Tort Product Liability <input checked="" type="checkbox"/> 290 All Other Real Property</p> <p><u>Personal Property</u> <input checked="" type="checkbox"/> 370 Other Fraud <input checked="" type="checkbox"/> 371 Truth in Lending <input checked="" type="checkbox"/> 380 Other Personal Property Damage <input checked="" type="checkbox"/> 385 Property Damage Product Liability</p>	<p><u>Bankruptcy</u> <input checked="" type="checkbox"/> 422 Appeal 27 USC 158 <input checked="" type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><u>Prisoner Petitions</u> <input checked="" type="checkbox"/> 535 Death Penalty <input checked="" type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights <input checked="" type="checkbox"/> 555 Prison Conditions <input checked="" type="checkbox"/> 560 Civil Detainee – Conditions of Confinement</p> <p><u>Property Rights</u> <input checked="" type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 835 Patent – Abbreviated New Drug Application <input checked="" type="checkbox"/> 840 Trademark</p>	<p><u>Federal Tax Suits</u> <input checked="" type="checkbox"/> 870 Taxes (US plaintiff or defendant) <input checked="" type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p> <p><u>Forfeiture/Penalty</u> <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input checked="" type="checkbox"/> 690 Other</p> <p><u>Other Statutes</u> <input checked="" type="checkbox"/> 375 False Claims Act <input checked="" type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input checked="" type="checkbox"/> 400 State Reapportionment <input checked="" type="checkbox"/> 430 Banks & Banking <input checked="" type="checkbox"/> 450 Commerce/ICC Rates/etc. <input checked="" type="checkbox"/> 460 Deportation</p>	<p><input checked="" type="checkbox"/> 462 Naturalization Application <input checked="" type="checkbox"/> 465 Other Immigration Actions <input checked="" type="checkbox"/> 470 Racketeer Influenced & Corrupt Organization <input checked="" type="checkbox"/> 480 Consumer Credit <input checked="" type="checkbox"/> 490 Cable/Satellite TV <input checked="" type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 896 Arbitration <input checked="" type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes <input checked="" type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)</p>
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<input type="radio"/> G. Habeas Corpus/ 2255 <input checked="" type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input checked="" type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
 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 Mag. Judge
 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 Discrimination in violation of the Congressional Accountability Act, 2 U.S.C. 1311

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 <input type="checkbox"/>	DEMAND \$ 300,000+ JURY DEMAND: <input type="checkbox"/>	Check YES only if demanded in complaint YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If yes, please complete related case form

DATE: <u>May 6, 2019</u>	SIGNATURE OF ATTORNEY OF RECORD:
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INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET 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 services 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
District of Columbia

KRISTIE SMALL

Plaintiff(s)

v.

OFFICE OF CONGRESSMAN

HENRY CUELLAR

Defendant(s)

Civil Action No. 1:19-cv-13

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Hon. William P. Barr
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

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:

Sara McDonough
Alan Lescht and Associates, P.C.
1825 K Street, NW, Suite 750
Washington, DC 20006

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. _____

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
District of Columbia

KRISTIE SMALL

Plaintiff(s)

v.

OFFICE OF CONGRESSMAN

HENRY CUELLAR

Defendant(s)

Civil Action No. 1:19-cv-1314

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Jessie K. Liu
U.S. Attorney for the District of Columbia
555 Fourth Street, NW
Washington, DC 20530

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:

Sara McDonough
Alan Lescht and Associates, P.C.
1825 K Street, NW, Suite 750
Washington, DC 20006

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. _____

PROOF OF SERVICE

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_____ 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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
District of Columbia

KRISTIE SMALL

Plaintiff(s)

v.

OFFICE OF CONGRESSMAN

HENRY CUELLAR

Defendant(s)

Civil Action No. 1:19-cv-13

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Representative Henry Cuellar
2372 Rayburn House Office Building
Washington, DC 20515

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:

Sara McDonough
Alan Lescht and Associates, P.C.
1825 K Street, NW, Suite 750
Washington, DC 20006

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.

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Signature of Clerk or Deputy Clerk

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_____ 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: