



1 Jed Margolin, Pro Se  
 2 1981 Empire Rd.  
 3 VC Highlands, NV 89521-7430  
 4 Telephone: 775-847-7845  
 5 Email: [jm@jmargolin.com](mailto:jm@jmargolin.com)

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UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

|                                   |   |                                  |
|-----------------------------------|---|----------------------------------|
| JED MARGOLIN,                     | ) |                                  |
|                                   | ) |                                  |
| Plaintiff,                        | ) | Case No. 3:09-cv-00421-LRH-(VPC) |
|                                   | ) |                                  |
| vs.                               | ) |                                  |
|                                   | ) | MOTION TO CORRECT DOCKET         |
| CHARLES F. BOLDEN, Administrator, | ) | REPORT; ORDER                    |
| National Aeronautics and Space    | ) |                                  |
| Administration,                   | ) |                                  |
|                                   | ) |                                  |
| Defendant.                        | ) |                                  |

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Comes now Plaintiff, Jed Margolin ("Margolin"), appearing pro se, and files this Motion to Correct the Docket Report.

1 The Docket Report appearing on Pacer on August 23, 2009 (Exhibit 1) contains one  
2 serious error and one error that may be less serious.

3 1. The following entry states “No local USAtty service.”

4 08/18/2009 4 SUMMONS Returned Executed by Jed Margolin. Charles F.  
5 Bolden served by certified mail as to Justice Department on 8/6/2009 and NASA  
6 on 08/06/09, answer due 10/5/2009. (No local USAtty service) (LG) (Entered:  
7 08/21/2009)  
8

9 As stated in Margolin’s Proof of Service:

10 Summons and Complaint personally delivered to the office of U.S. Attorney for  
11 the District of Nevada, 100 West Liberty, Suite 600, Reno, NV; received by Joan  
12 Silvershield on August 3, 2009. See Exhibit 2.  
13

14 Exhibit 2 in Margolin’s Proof of Service is reproduced here, also as Exhibit 2.

15 Rule 4 **Summons** of the Federal Rules of Civil Procedure (2008) states {Rule 4(i)(2)}:

16 (2) *Agency; Corporation; Officer or Employee Sued in an Official Capacity.* To  
17 serve a United States agency or corporation, or a United States officer or employee  
18 sued only in an official capacity, a party must serve the United States and also  
19 send a copy of the summons and of the complaint by registered or certified mail to  
20 the agency, corporation, officer, or employee.  
21

22 Previously, in Rule 4(i)(1):

23 (1) *United States.* To serve the United States, a party must: (A)(i) deliver a copy of  
24 the summons and of the complaint to the United States attorney for the district  
25 where the action is brought - or to an assistant United States attorney or clerical  
26 employee whom the United States attorney designates in a writing filed with the  
27 court clerk - or (ii) send a copy of each by registered or certified mail to the civil-  
28 process clerk at the United States attorney’s office;

1 On August 3, 2009 Margolin went to the Office of the U.S. Attorney for the District of  
2 Nevada at 100 West Liberty, Suite 600, Reno, NV, announced to the young lady behind  
3 the thick glass (presumably bullet-proof and nuclear hardened) his reason for being there  
4 -to give the U.S. Attorney for the District of Nevada a copy of the Summons and  
5 Complaint- and asked her if she would accept it for the U.S. Attorney. She said, "yes."  
6 Margolin asked her if she would provide proof that he had given it to her. She made a  
7 copy of the first page of the Complaint, stamped it, and initialed it. See Exhibit 2.  
8 Margolin asked if she had a business card and was told "no," but that her name was Joan  
9 Silvershield. If Ms. Silvershield was not authorized to accept service for the U.S.  
10 Attorney she should not have said she was. That is the U.S. Attorney's responsibility, not  
11 Margolin's. The U.S. Attorney may also have received a copy of the Summons and  
12 Complaint through the Court's CM/ECF system. The U.S. Attorney was properly served.

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14 2. The Docket Report states:

15 Charles F. Bolden served by certified mail as to Justice Department on 8/6/2009  
16 and NASA on 08/06/09

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18 Service was by registered mail, not certified mail, as shown by USPS records in Proof of  
19 Service Exhibit 3, reproduced here also as Exhibit 3. The distinction may be relevant later  
20 on.

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1 Margolin deserves to have the Docket Report be true and correct. Therefore, Margolin  
2 requests the Docket Report be corrected to show that:

- 3 1. The U.S. Attorney for the District of Nevada was served on August 3, 2009;
- 4 2. Charles F. Bolden, NASA Administrator, was served by registered USPS mail on  
5 August 6, 2009; and
- 6 3. The Attorney General of the United States was served by registered USPS mail on  
7 August 6, 2009.

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Respectfully submitted,

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/Jed Margolin/

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Jed Margolin, plaintiff pro se  
1981 Empire Rd.  
VC Highlands, NV 89521-7430  
775-847-7845  
jm@jmargolin.com

18 Dated: August 24, 2009

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20 Copy of the foregoing personally delivered August 24, 2009 by Jed Margolin to:

21 The Office of the United States Attorney for the District of Nevada  
22 100 West Liberty, Suite 600  
23 Reno, NV

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/Jed Margolin/

CM/ECF - nvd - District Version 3.2.2

https://ecf.nvd.uscourts.gov/cgi-bin/DktRpt.pl?453742605946165-L\_801\_0-1

**United States District Court  
 District of Nevada (Reno)  
 CIVIL DOCKET FOR CASE #: 3:09-cv-00421-LRH-VPC**

Margolin v. Bolden  
 Assigned to: Judge Larry R. Hicks  
 Referred to: Magistrate Judge Valerie P. Cooke  
 Cause: 05:552 Freedom of Information Act

Date Filed: 07/31/2009  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Jed Margolin**

represented by **Jed Margolin**  
 1981 Empire Road  
 VC Highlands, NV 89521-7430  
 PRO SE

V.

**Defendant**

**Charles F. Bolden**  
*Administrator, National Aeronautics and Space Administration*

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 07/31/2009 | <u>1</u> | COMPLAINT against Charles F. Bolden, filed by Jed Margolin. ( <b>\$350.00 FILING FEE PAID 7/31/2009: RECEIPT #21577</b> ) Certificate of Interested Parties due by 8/10/2009. Proof of service due by 11/28/2009. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet)(PM) Modified on 7/31/2009 to clarify text(PM). (Entered: 07/31/2009) |
| 07/31/2009 | <u>2</u> | SUMMONS Issued as to Charles F. Bolden, Administrator NASA Headquarters. (PM) (Entered: 07/31/2009)   |
| 08/03/2009 |          | Case assigned to District Judge Larry R. Hicks and Magistrate Judge Valerie P. Cooke. (WJ) (Entered: 08/03/2009)  |
| 08/03/2009 | <u>3</u> | Ex Parte MOTION for Pro Se Litigant to File Electronically by Plaintiff Jed Margolin. Motion ripe 8/3/2009. (LG) (Entered: 08/05/2009)  |
| 08/18/2009 | <u>4</u> | SUMMONS Returned Executed by Jed Margolin. Charles F. Bolden served by certified mail as to Justice Department on 8/6/2009 and NASA on 08/06/09, answer due 10/5/2009. (No local USAAtty service) (LG) (Entered: 08/21/2009)  |
| 08/19/2009 | <u>5</u> | CERTIFICATE of Interested Parties filed by Jed Margolin.. There are no known interested parties other than those participating in the case. (LG) (Entered: 08/21/2009)  |

|                             |   |                         |                       |
|-----------------------------|---|-------------------------|-----------------------|
| <b>PACER Service Center</b> |   |                         |                       |
| <b>Transaction Receipt</b>  |   |                         |                       |
| 08/23/2009 11:29:34         |   |                         |                       |
| <b>PACER Login:</b>         |  | <b>Client Code:</b>     |                       |
| <b>Description:</b>         | Docket Report   | <b>Search Criteria:</b> | 3:09-cv-00421-LRH-VPC |

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|                 |   |              |      |
|-----------------|---|--------------|------|
| <b>Billable</b> |   | <b>Cost:</b> | 0.08 |
| <b>Pages:</b>   | 1 |              |      |

## Exhibit 2

## Exhibit 2



## Exhibit 3

## Exhibit 3







- 1 1. The U.S. Attorney for the District of Nevada was served on August 3, 2009;
- 2 2. Charles F. Bolden, NASA Administrator, was served by registered USPS mail
- 3 on August 6, 2009; and
- 4 3. The Attorney General of the United States was served by registered USPS mail
- 5 on August 6, 2009.

6

7 DATED this \_\_\_\_\_<sup>th</sup> day of August, 2009.

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Larry R. Hicks  
United States District Judge

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