

1 GERALDINE R. GENNET  
General Counsel  
2 KERRY W. KIRCHER  
Deputy General Counsel  
3 CHRISTINE DAVENPORT  
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5 219 Cannon House Office Building  
Washington, D.C. 20515  
6 202-225-9700 (telephone)  
202-226-1360 (facsimile)

7 Counsel for Defendant John T. Doolittle

8  
9 **UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 \_\_\_\_\_ )  
11 SINDEELOU THOMSON, )  
12 Plaintiff, )  
13 v. )  
14 JOHN T. DOOLITTLE, )  
15 Defendant. )  
16 \_\_\_\_\_ )

Case No. 2:07-CV-01623-LEW-  
GGH

**NOTICE OF MOTION TO  
DISMISS AND/OR FOR  
SUMMARY JUDGMENT OF  
DEFENDANT JOHN T.  
DOOLITTLE**

DATE: September 21, 2007  
TIME: 10:00 A.M.  
CTRM: 9  
Hon. Ronald S.W. Lew

17  
18 PLEASE TAKE NOTICE THAT the defendant John T. Doolittle, U.S. Representative  
19 for California's 4th congressional district, moves this court before the Honorable Ronald S. W.  
20 Lew for an order dismissing plaintiff SindeeLou Thomson's complaint with prejudice and/or for  
21 entry of a summary judgment.

22 We do not request oral argument inasmuch as this matter may appropriately be decided  
23 by the Court without a hearing based on the Notice of Motion, Motion, Statement of Undisputed  
24 Facts, Memorandum of Points and Authorities in support thereof, and any subsequent pleadings  
25 filed.

26 Respectfully submitted,

27 GERALDINE R. GENNET  
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General Counsel  
KERRY W. KIRCHER  
Deputy General Counsel

/s/ Christine Davenport  
CHRISTINE DAVENPORT  
Assistant Counsel

Office of the General Counsel<sup>1</sup>  
U.S. House of Representatives  
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Washington, D.C. 20515-6601  
202/225-9700 (phone)  
202/226-1360

Counsel for Defendant John T. Doolittle

August 15, 2007

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<sup>1</sup> Attorneys in the Office of General Counsel for the U.S. House of Representatives are “entitled, for the purpose of performing the counsel’s functions, to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof without compliance with any requirement for admission to practice before such court . . . .” <sup>2</sup> U.S.C. § 130f(a).

1 **CERTIFICATE OF SERVICE**

2 I certify that on August 15, 2007, I served one copy of the foregoing Notice of Motion to  
3 Dismiss and/or for Summary Judgment of Defendant John T. Doolittle, by first-class mail, on:

4 SindeeLou Thomson  
5 P.O. Box 1495  
6 Roseville, CA 95678

7 SindeeLou Thomson  
8 1033 South Bluff Drive  
9 Roseville, CA 95678

10 Bari Nejadpour, Esq.  
11 The Law Offices of F. Bari Nejadour & Associates  
12 3540 Wilshire Blvd. Suite 715  
13 Los Angeles, CA 90010

14 /s/ Christine Davenport  
15 CHRISTINE DAVENPORT  
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7 Counsel for Defendant John T. Doolittle

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9 **UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 \_\_\_\_\_ )  
11 SINDEELOU THOMSON, )  
12 Plaintiff, )  
13 v. )  
14 JOHN T. DOOLITTLE, )  
15 Defendant. )  
16 \_\_\_\_\_ )

Case No. 2:07-CV-01623-LEW-  
GGH

**MOTION TO DISMISS  
AND/OR FOR SUMMARY  
JUDGMENT OF DEFENDANT  
JOHN T. DOOLITTLE**

DATE: September 21, 2007  
TIME: 10:00 A.M.  
CTRM: 9

Hon. Ronald S.W. Lew

17  
18 Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), defendant John T.  
19 Doolittle, United States Representative for California's 4th congressional district, respectfully  
20 moves for an order dismissing all claims against him with prejudice on the grounds that the  
21 Complaint fails to state a cause of action upon which relief may be granted, and Congressman  
22 Doolittle is immune from suit. In addition, or in the alternative, Congressman Doolittle moves  
23 for summary judgment pursuant to Federal Rule of Civil Procedure 56 because there are no  
24 material facts in dispute and the Congressman is entitled to summary judgment as a matter of  
25 law. Simultaneously herewith, we have filed a Memorandum of Points and Authorities,  
26

1 Statement of Undisputed Facts, and a Proposed Order.

2 We do not request oral argument inasmuch as this matter may appropriately be decided  
3 by the Court without a hearing based on the Notice of Motion, Motion, Statement of Undisputed  
4 Facts, Memorandum of Points and Authorities in support thereof, and any subsequent pleadings  
5 filed.

6  
7  
8 Respectfully submitted,

9 GERALDINE R. GENNET  
10 General Counsel  
11 KERRY W. KIRCHER  
12 Deputy General Counsel

13 /s/ Christine Davenport  
14 CHRISTINE DAVENPORT  
15 Assistant Counsel

16 Office of General Counsel<sup>1</sup>  
17 U.S. House of Representatives  
18 219 Cannon House Office Building  
19 Washington, D.C. 20515  
20 202-225-9700 (telephone)  
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22 Counsel for Defendant John T. Doolittle

23 August 15, 2007

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24 <sup>1</sup> Attorneys in the Office of General Counsel for the U.S. House of Representatives are  
25 “entitled, for the purpose of performing the counsel’s functions, to enter an appearance in any  
26 proceeding before any court of the United States . . . without compliance with any requirement  
27 for admission to practice before such court . . . .” 2 U.S.C. § 130f(a) (2004).

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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 \_\_\_\_\_ )  
11 SINDEELOU THOMSON, )  
12 Plaintiff, )  
13 v. )  
14 JOHN DOOLITTLE, )  
15 Defendant. )  
16 \_\_\_\_\_ )

Case No. 2:07-CV-01623-LEW-  
GGH

**ORDER**

17 UPON CONSIDERATION of the Motion to Dismiss and/or for Summary Judgment of  
18 Defendant John Doolittle (“Motion”), plaintiff’s opposition, if any, and the entire record herein,  
19 it is by the Court ORDERED

20 That the Motion is granted. IT IS FURTHER ORDERED

21 That all claims in plaintiff’s Petition be and hereby are dismissed with prejudice for all  
22 the reasons stated in the Memorandum of Points and Authorities filed in support of the Motion.

23 Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

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25 \_\_\_\_\_  
26 Honorable Ronald S.W. Lew.  
United States District Judge  
Eastern District of California

27 cc: Christine Davenport, Esq.  
28 Assistant Counsel

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Washington, DC 20515  
**Via Facsimile (202-226-1360)**

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P.O. Box 1495  
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Bari Nejadpour, Esq.  
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3540 Wilshire Blvd. Suite 715  
Los Angeles, CA 90010

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/s/ Christine Davenport  
CHRISTINE DAVENPORT