

ORIGINAL

LEONARD G. HOROWITZ
13-3775 Paho-Kalapana Road
Pahoa, HI 96778
Email: editor@medicalveritas.org
808-965-2112

SHERRI KANE
P. O. Box 75104
Honolulu, HI 96836
Sherrikane@gmail.com
310-877-3002

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 18 2015
at 8 o'clock and 35 min. A M. *SK*
SUE BENTIA, CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

LEONARD G. HOROWITZ, an Individual;
and SHERRI KANE, an Individual

Plaintiffs

v.

PAUL J. SULLA, JR. an individual; PAUL
J. SULLA JR., ATTORNEY AT LAW A
LAW CORPORATION, a corporation; THE
ECLECTIC CENTER OF UNIVERSAL
FLOWING LIGHT-PAULO
ROBERTOSILVA E SOUZA, a Hawaii
corporation sole; JASON HESTER, an
individual; THE OFFICE OF OVERSEER,
A CORPORATE SOLE AND ITS
SUCCESSOR, OVER AND FOR THE
POPULAR ASSEMBLY OF REVITALIZE,
A GOSPEL OF BELIEVERS; ALMA C.
OTT, an individual; MOTHER EARTH
MINERALS, a Utah online health products
company, d.b.a., MEMINERALS.com;
and DOES 1 through 50, Inclusive

Defendants

CIV. NO. 15 – 00186 JMS-BMK

[42 U.S.C. § 1983]

**PLAINTIFFS' REQUEST FOR
ENTRY OF DEFAULT AGAINST
DEFENDANTS ALMA C. OTT aka
TRUE OTT and MOTHER EARTH
MINERALS d.b.a
MEMINERALS.COM;
DECLARATION OF SHERRI KANE
AND LEONARD G. HOROWITZ;
EXHIBITS "A" – "B"; [PROPOSED]
ORDER FOR ENTRY OF DEFAULT
AGAINST ALMA C. OTT and
MOTHER EARTH MINERALS;
CERTIFICATE OF SERVICE**

**Hon Judges: J. Michael Seabright and
Barry M. Kurren**

Trial Date Not Set

COMES NOW Plaintiffs LEONARD G. HOROWITZ and SHERRI KANE (hereinafter "plaintiffs") who hereby request that default be entered against Defendants Alma C. Ott aka "TRUE OTT" and Mother Earth Minerals, d.b.a MEMINERALS.COM, for having failed to plead, or otherwise defend this action, as provided by the Federal Rules of Civil Procedure.

This request is made pursuant to Rule 55 (a) of the Federal Rules of Civil Procedure, the records and files herein and the Declaration of Plaintiffs, and Exhibits "A" and "B" attached hereto.

Respectfully submitted.

DATED: Honolulu, HI, June 18^{SK}, 2015


LEONARD G. HOROWITZ and/or SHERRI KANE, in Propria Persona

LEONARD G. HOROWITZ
13-3775 Paho-Kalapana Road
Pahoa, HI 96778
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

LEONARD G. HOROWITZ, an Individual;
and SHERRI KANE, an Individual)

Plaintiffs)

v.)

PAUL J. SULLA, JR. an individual; PAUL)
J. SULLA JR., ATTORNEY AT LAW A)
LAW CORPORATION, a corporation; THE)
ECLECTIC CENTER OF UNIVERSAL)
FLOWING LIGHT-PAULO)
ROBERTOSILVA E SOUZA, a Hawaii)
corporation sole; JASON HESTER, an)
individual; THE OFFICE OF OVERSEER,)
A CORPORATE SOLE AND ITS)
SUCCESSOR, OVER AND FOR THE)
POPULAR ASSEMBLY OF REVITALIZE,)
A GOSPEL OF BELIEVERS; ALMA C.)
OTT, an individual; MOTHER EARTH)
MINERALS, a Utah online health products)
company, d.b.a., MEMINERALS.com;)
and DOES 1 through 50, Inclusive)

Defendants

CIV. NO. 15 – 00186 JMS-BMK

[42 U.S.C. § 1983]

**DECLARATION OF LEONARD G.
HOROWITZ AND SHERRI KANE**

**Hon Judges: J. Michael Seabright and
Barry M. Kurren**

Trial Date Not Set

DECLARATION OF LEONARD G. HOROWITZ AND SHERRI KANE

We, Leonard G. Horowitz and Sherri Kane (hereafter "Plaintiffs' ") do declare under penalty of perjury that the following is true and correct:

1. We are the Plaintiffs' making this Affidavit upon personal knowledge based upon of our own filings and pleadings in this case.
2. Plaintiffs' Complaint was filed on May 19, 2015.
3. On May 26, 2015, Civil Process Server Sheree Kerr effected Service of Process of a certified copy of the Complaint upon Alma C. Ott, aka True Ott as described in the Return and Acknowledgment of Service filed herein on June 2, 2015. A true and correct copy of the Return and Acknowledgement of Service is attached hereto as Exhibit "A".
4. On May 26th, 2015, Civil Process Server Sheree Kerr effected Service of Process of a certified copy of the Complaint upon Mother Earth Minerals d.b.a MEMINERALS.COM, as described in the Return and Acknowledgment of Service filed herein on June 2, 2015. A true and correct copy of the Return and Acknowledgement of service is attached hereto as a Exhibit "B".
5. Default should be entered against DEFENDANTS Alma C. Ott, aka True Ott and Mother Earth Minerals, d.b.a MEMINERALS.COM, as these defendants failed to answer, or otherwise appear in this action within twenty (21) days after service of the Complaint, as promulgated under Rule 12 of the Federal Rules of Civil Procedure.

DATED: Honolulu, HI, June 18^{SK}, 2015


LEONARD G. HOROWITZ and/or SHERRI KANE, in Propria Persona

EXHIBIT "A"

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 02 2015

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

at 1 SUP 6
O'Clock and min. M. 0
SUE BEITIA, CLERK

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)* Alma C Ott aka True Ott
was received by me on *(date)* 05-26-15

I personally served the summons on the individual at *(place)* 485 W. 3925 N, Ogden, UT 84414
on *(date)* 05-26-15 ; 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

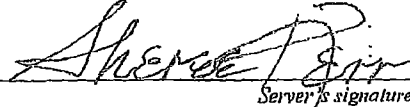
I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: 05-27-15


Server's signature

Sheree Kerr Private Investigator
Printed name and title

473 S River RD #1-275, St George, UT 84790
Server's address

Additional information regarding attempted service, etc:

FD 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Hawaii

LEONARD G. HOROWITZ, and
SHERI KANE

PLAINTIFFS

v.

PAUL F. SULLA, JR. Plaintiff PAUL J. SULLA JR.,
ATTORNEY AT LAW, A LAW FIRM CORPORATION;
THE ECLECTIC CENTER OF UNIVERSAL FLOWING
LIGHT PAUL ROBERTO SILVA E. SOUZA, D
CORP. SOLE; JASON HESTER; THE OFFICE OF
OVERSEER... REVITALIZE A HOSPEL DE BELIEFS
ALMA C. OTT; Defendant MOTHER EARTH MINERALS,
A UTAH COMPANY; MENUNERALS.COM

Civil Action No. 15 00186 JMS BMK

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

AIMA C. OTT AKA TRUE OTT
485 W. 3925 N., OGDEN, UT. 84414

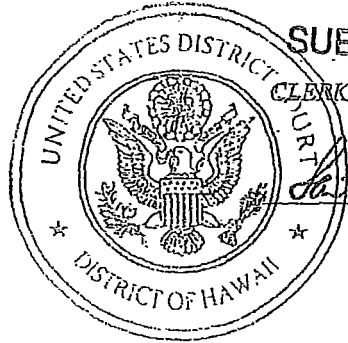
A lawsuit has been filed against you.

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:

LEONARD G. HOROWITZ,
13-3775 PAHOA-KALAPANA RD.
PAHOA, HI 96778

SHERI KANE
P.O. BOX 75104
HONOLULU, HI 96836

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.



SUE BEITIA
CLERK OF COURT

Sue Beitia
Signature of Clerk or Deputy Clerk

Date: MAY 19 2015

PROOF OF SERVICE

United States District Court - District Of Hawaii

State of Hawaii

Leonard G. Horowitz and Sherri Kane

Attorney:

Plaintiff

Sherri Kane

vs.

13-3775 Pahoia Kalapana Rd
Pahoia, HI. 96778

Alma C. Ott, Mother Earth Minerals, et al

Defendant

Case Number: CV15 00186JMS BMK

Legal documents received by Sherri Kane on May 26th, 2015 at 2:00 PM to be served upon Alma C. Ott aka True Ott at 485 W 3925 N, Ogden, UT. 84414

I, Sheree Kerr, swear and affirm that on May 26th, 2015 at 5:30 PM, I did the following:

Individually Served Alma C. Ott aka True Ott the person listed as the intended recipient of the legal document with a conformed copy of this See docs list with mailed package.

052115 = per client,

The 2nd page of each Summons needs to be filled out by the server.

Please let Melissa know that we need the Summons back because the back side needs to be filled out on that for Hawaii rules.

If the defendant wants a copy of the Summons it is located right before the certificate of service in the filing.

Can you also ask M'lissa to check off certificate of service page on each document as well before she hands it to True Ott. The service date, time, my initials and/or name, and identification number, if required by state statute, were listed on the document served.

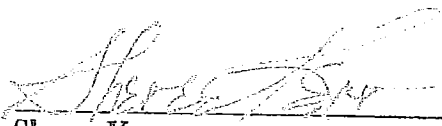
Description of Person Accepting Service:

Sex: Male Age: 57'ish Height: 6'03 Weight: 230 Skin Color: White Hair Color: Brown Glasses: Y

Supplemental Data Appropriate to this Service:

Defendant drove into garage with wife (blonde, 5'7", 140#). Server asked wife if she was True Ott. Female pointed to male passenger. Server walked around car to garbage cans and told Defendant she was serving him with papers. He walked close and read name on document. True Ott stated he was refusing them and that he is not Alma C. Ott. Server asked him who was Alma and where were he was. Defendant refused to answer but told Server to contact his attorney (but offered no name or phone #), and that this is "harassment". Server explained that since he is True Ott, aka Alma Ott, that she is serving him. Defendant never offered ID. Server left documents on top of black garbage can in garage. Defendant said to throw them away. Server asked Defendant if he knew anything about Mother Earth Minerals, and he ignored server while getting a drink out of the fridge in the garage. Server asked why "they would send me to your address if you are not the Defendant?" and Defendant answered "Who are they?" Server stated the Plaintiffs are they. He had no answer. Server advised Defendant to give them to his attorney to work it out, and left premises.

I declare that I am eighteen years of age or older and have no interest in the above legal matter. I attest that I am certified, appointed by sheriff or motion and order and that I am legally authorized to serve court documents within the above named circuit / county. I have not included any non-public information from this document. I declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true and correct.



Sherree Kerr
Process Server, # R103575

Sherrri Kane
13-3775 Pahoa Kalapana Rd
Pahoa, HI 96778

(310) 877-3002

Internal Job ID: 2015001728

Reference Number: 24772

EXHIBIT "B"

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 02 2015

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

at Urock and min. MT.
SUE BEITIA, CLERK

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)* Mother Earth Minerals, Inc
was received by me on *(date)* 05-26-15

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)* Alma C Ott aka True Ott, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
Mother Earth Minerals, Inc on *(date)* 05-26-15; or

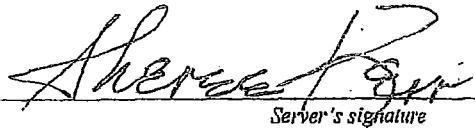
I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: 05-27-15


Server's signature

Sheree Kerr Private Investigator
Printed name and title

473 S River RD #1-275, St George, UT 84790
Server's address

Additional information regarding attempted service, etc:

H.D 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Hawaii

LEONARD G. HOROWITZ, and
SHERRI KANE

PLAINTIFFS

v.

PAUL J. SULLA, JR. Plaintiff PAUL J. SULLA JR.,
ATTORNEY AT LAW, A LAW CORPORATION;
THE ECCLECTIC CENTER OF UNIVERSAL FLOWING
LIGHT PAUL ROBERTO SILVA E. SOUZA, a
CORP. SOLE; JASON WHEELER; THE OFFICE OF
OVERSEER... REVITALIZE A GOSPEL OF BELIEF;
ALMA A. C. OTT. Defendant MOTHER EARTH MINERALS,
A UTAH COMPANY; MOTHER EARTH MINERALS.COM

Civil Action No. 15 00186 JMS BMK

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

MOTHER EARTH Minerals, Inc
c/o ALMA A. C. OTT
485 W. 3925 N. OGDEN, UT 84414

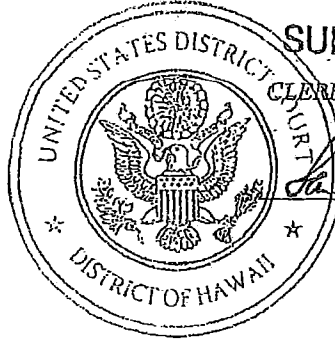
A lawsuit has been filed against you.

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:

LEONARD G. HOROWITZ
13-3775 PAHOA-KAUPAHA RD.
PAHOA, HI 96778

SHERRI KANE
P.O. BOX 75104
HONOLULU, HI 96856

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.



SUE BEITIA
CLERK OF COURT

Sue Beitia
Signature of Clerk or Deputy Clerk

Date: MAY 19 2015

PROOF OF SERVICE

United States District Court - District Of Hawaii

State of Hawaii

Leonard G. Horowitz and Sherri Kane

Attorney:

Plaintiff

vs.

Alma C. Ott, Mother Earth Minerals, et al

Defendant

Sherri Kane
13-3775 Pahoia Kalapana Rd
Pahoia, HI. 96778

Case Number: CV15 00186JMS BMK

Legal documents received by Sherri Kane on May 26th, 2015 at 2:00 PM to be served upon Mother Earth Minerals, Inc. % Alma C. Ott at 485 W 3925 N, Ogden, UT. 84414

I, Sheree Kerr, swear and affirm that on May 26th, 2015 at 5:30 PM, I did the following:

Served the corporation listed as the intended recipient of the legal documents by delivering a conformed copy of the See docs list with mailed package.

052115 = per client,

The 2nd page of each Summons needs to be filled out by the server.

Please let Melissa know that we need the Summons back because the back side needs to be filled out on that for Hawaii rules.

If the defendant wants a copy of the Summons it is located right before the certificate of service in the filing.

Can you also ask M'lissa to check off certificate of service page on each document as well before she hands it to True Ott. to Alma C. Ott aka True Ott as Registered Agent of the within named corporation. The service date, time, my initials and/or name, and identification number, if required by state statute, were listed on the document served.

Description of Person Accepting Service:

Sex: Male Age: 57'ish Height: 6'03 Weight: 230 Skin Color: White Hair Color: Brown Glasses: Y

Supplemental Data Appropriate to this Service:

Defendant drove into garage with wife (blonde, 5'7", 140#). Server asked wife if she was True Ott. Female pointed to male passenger. Server walked around car to garbage cans and told Defendant she was serving him with papers. He walked close and read name on document. True Ott stated he was refusing them and that he is not Alma C. Ott. Server asked him who was Alma and where were he was. Defendant refused to answer but told Server to contact his attorney (but offered no name or phone #), and that this is "harassment". Server explained that since he is True Ott, aka Alma Ott, that she is serving him. Defendant never offered ID. Server left documents on top of black garbage can in garage. Defendant said to throw them away. Server asked Defendant if he knew anything about Mother Earth Minerals, and he ignored server while getting a drink out of the fridge in the garage. Server asked why "they would send me to your address if you are not the Defendant?" and Defendant answered "Who are they?" Server stated the Plaintiffs are they. He had no answer. Server advised Defendant to give them to his attorney to work it out, and left premises.

I declare that I am eighteen years of age or older and have no interest in the above legal matter. I attest that I am certified, appointed by sheriff or motion and order and that I am legally authorized to serve court documents within the above named circuit / county. I have not included any non-public information from this document. I declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true and correct.



Sherree Kerr
Process Server, # R103575

Sherri Kane
13-3775 Pahoa Kalapana Rd
Pahoa, HI 96778

(310) 877-3002

Internal Job ID: 2015001728

Reference Number: 24772

LEONARD G. HOROWITZ
13-3775 Paho-Kalapana Road
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SHERRI KANE
P. O. Box 75104
Honolulu, HI 96836
SherriKane@gmail.com
310-877-3002

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

LEONARD G. HOROWITZ, an Individual;
and SHERRI KANE, an Individual)
)
 Plaintiffs)

v.)

PAUL J. SULLA, JR. an individual; PAUL)
J. SULLA JR., ATTORNEY AT LAW A)
LAW CORPORATION, a corporation; THE)
ECLECTIC CENTER OF UNIVERSAL)
FLOWING LIGHT-PAULO)
ROBERTOSILVA E SOUZA, a Hawaii)
corporation sole; JASON HESTER, an)
individual; THE OFFICE OF OVERSEER,)
A CORPORATE SOLE AND ITS)
SUCCESSOR, OVER AND FOR THE)
POPULAR ASSEMBLY OF REVITALIZE,)
A GOSPEL OF BELIEVERS; ALMA C.)
OTT, an individual; MOTHER EARTH)
MINERALS, a Utah online health products)
company, d.b.a., MEMINERALS.com;)
and DOES 1 through 50, Inclusive)
)
 Defendants

CIV. NO. 15 – 00186 JMS-BMK

[42 U.S.C. § 1983]

**PROPOSED ORDER FOR ENTRY
OF DEFAULT AGAINST
DEFENDANTS ALMA C. OTT AKA
TRUE OTT and MOTHER EARTH
MINERALS d.b.a
MEMINERALS.COM**

**Hon Judges: J. Michael Seabright and
Barry M. Kurren**

Trial Date Not Set

ENTRY OF DEFAULT AGAINST DEFENDANTS ALMA C. OTT aka TRUE OTT and MOTHER EARTH MINERALS d.b.a MEMINERALS.com

Default is hereby entered against DEFENDANTS ALMA C. OTT (aka "TRUE OTT") and MOTHER EARTH MINERALS (d.b.a. MEMINERALS.COM.) (pursuant to Rule 55 (a) of the Federal Rules of Civil Procedure.

DATED: Honolulu, HI, JUN 18 2015

SUE BEITIA

CLERK OF THE ABOVE- TITLED COURT



Deputy Clerk, United States
District Court, District of Hawaii

CERTIFICATE OF SERVICE

sk

WE HEREBY CERTIFY that on this 18th day of June, 2015, we served a true and correct copy of the foregoing "PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANTS ALMA C. OTT and MOTHER EARTH MINERALS ; DECLARATION OF SHERRI KANE AND LEONARD G. HOROWITZ; EXHIBITS "A" -"B"; [PROPOSED] ORDER FOR ENTRY OF DEFAULT AGAINST ALMA C. OTT aka TRUE OTT and MOTHER EARTH MINERALS d.b.a MEMINERALS.com; CERTIFICATE OF SERVICE " by the method described below to:

PAUL J. SULLA, JR., an Individual (5258)
and as Attorney for PAUL J. SULLA, JR.
LAW, and THE ECLECTIC CENTER
106 Kamehameha Ave., Ste. 2A
Hilo, HI 96720
808-933-3600

U.S. Mail

ALMA C. OTT, an Individual
And c/o
MOTHER EARTH MINERALS
d.b.a MEMINERALS.COM
485 W. 3925 N.
Ogden, UT 84414

U.S. Mail

THE HONORABLE JUDGES J. MICHAEL SEABRIGHT/BARRY M. KURREN
THE U.S. DISTRICT COURT
FOR THE DISTRICT OF HAWAII
300 Ala Moana Blvd. #C338
Honolulu, HI 96850
808-541-1300

U.S. Mail
 Hand



LEONARD G. HOROWITZ and/or SHERRI KANE, in Propria Persona