

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

JOSEPH KIRCHNER,

Plaintiff,

v.

MIKE JOHNSON et al.,

Defendants.

Case No. 1:25-cv-02735-ACR

**SUPPLEMENTAL NOTICE OF
SERVICE EFFECTUATION**

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1. Plaintiff Joseph Kirchner, proceeding pro se, respectfully submits this Supplemental Notice to provide the Court with (i) signed United States Postal Service return receipts (PS Form 3811) corresponding to the certified-mail service of the Second Amended Complaint reflected in the Returns of Service at ECF Nos. 27 through 36; (ii) a factual record of post-service communications between Plaintiff and counsel for Defendant Model Evaluation and Threat Research, Inc. ("METR"); and (iii) correspondence received by Plaintiff from the United States Department of Justice, Civil Rights Division, following service upon the Attorney General of the United States under Federal Rule of Civil Procedure 4(i)(1)(B).

2. This Notice supplements the Notice of Service Effectuation filed March 17, 2026 (ECF No. 38).

3. Plaintiff does not, by this Notice, seek any affirmative relief, propose any deadline adjustment, or request any ruling. All Defendants' deadlines to respond to the Second Amended Complaint remain stayed pending Plaintiff's anticipated Third Amended Complaint pursuant to this Court's March 27, 2026 Minute Order. Plaintiff submits this Notice solely to complete the service record for the Court in advance of the status hearing ordered following the filing of the Third Amended Complaint.

I. SIGNED RETURN RECEIPTS

4. Attached as **Exhibit 1** are signed USPS return receipts (PS Form 3811) confirming delivery of the Second Amended Complaint and corresponding summonses to the served Defendants referenced in the Returns of Service at ECF Nos. 27 through 36. The signed return receipts confirm receipt by an authorized person at each delivery address and supplement the USPS tracking confirmations previously provided as Exhibit 2 to the Notice of Service Effectuation at ECF No. 38. **Exhibit 1** also includes the additional return receipt corresponding to the certified mailing addressed to Defendant Donald J. Trump that is separately described in Section IV below.

II. POST-SERVICE COMMUNICATIONS WITH COUNSEL FOR DEFENDANT METR

A. Service of Process

5. Plaintiff effectuated service upon METR by United States Postal Service certified mail, return receipt requested, addressed to METR's registered agent of record, Tovella Dowling, PC, at 501 W. Broadway, Suite 1540, San Diego, California 92101. USPS tracking confirmed delivery on March 2, 2026. Plaintiff filed a Return of Service for METR at ECF No. 31 on March 17, 2026. Plaintiff subsequently re-served the same registered agent by USPS Certified Mail, Return Receipt Requested on March 10, 2026, with delivery confirmed on March 16, 2026. The signed return receipts corresponding to both deliveries are included in **Exhibit 1**.

B. Communications with METR's Counsel

6. On April 3, 2026, Plaintiff received a voicemail from Mary Dowling, Esq., an attorney with Tovella Dowling, PC, identifying herself as "general counsel, an attorney for METR,"

acknowledging METR's receipt of the summons by certified mail, raising a question regarding the method of service, and stating that METR was "in the process of securing counsel" admitted to practice before this Court.

7. On April 6, 2026, Ms. Dowling left a second voicemail for Plaintiff requesting a return call "as soon as possible" and stating that METR was "trying to gain some clarity" as to the filings "so that we can kind of put into motion the responsive filing deadline."

C. Meet-and-Confer Communications

8. On April 6, 2026, Plaintiff returned Ms. Dowling's calls. During that telephone conversation, Ms. Dowling indicated that METR contended service by certified mail may not satisfy Federal Rule of Civil Procedure 4(h)(1)(B) and proposed that the parties resolve the issue by stipulation. Plaintiff agreed in principle to consider such a stipulation. Ms. Dowling stated she would confirm METR's position with the client and contact Plaintiff by Wednesday, April 8, 2026.

9. Plaintiff received no further communication from METR between April 6, 2026 and April 13, 2026.

10. On April 13, 2026, Plaintiff telephoned Ms. Dowling. Ms. Dowling confirmed that METR remained agreeable to a stipulation waiving any objection to the method of service. Ms. Dowling did not propose draft language. Plaintiff offered to prepare a draft stipulation for METR's review.

11. On April 15, 2026, at approximately 4:40 PM Central Daylight Time, Plaintiff transmitted by electronic mail to Ms. Dowling a proposed Joint Stipulation and Proposed Order Waiving Formal Service and Confirming Stay for METR. The draft Joint Stipulation and Proposed Order, as transmitted and not yet executed by METR, is attached as **Exhibit 3**.

12. As of the filing date of this Notice, Plaintiff has received no response from METR to the April 15, 2026 correspondence, and the draft Joint Stipulation remains unexecuted.

D. Plaintiff's Position Regarding METR

13. Plaintiff submits the foregoing record for the Court's information. METR's registered agent received certified-mail service with signed return receipts on March 2, 2026 and March 16, 2026, and METR's counsel has acknowledged actual notice of the complaint and of this action through the voicemails and telephone communications documented above.

14. Plaintiff does not, by this Notice, request any adjustment to METR's response deadline, does not propose any timeline for METR's eventual response, and takes no position regarding any service-method objection METR may elect to raise. Plaintiff understands that any such adjustment or ruling is reserved to this Court consistent with the March 27, 2026 Minute Order.

III. CORRESPONDENCE FROM THE UNITED STATES DEPARTMENT OF JUSTICE

15. On or about April 6, 2026, Plaintiff received by United States mail a letter from the United States Department of Justice, Civil Rights Division, Washington, DC 20530. A true and correct copy of the letter is attached as **Exhibit 2**. The letter is dated April 6, 2026. It bears no individual signer and is signed only "U.S. Department of Justice / Civil Rights Division."

16. The letter states, in relevant part:

You contacted the Department of Justice on March 13, 2026, regarding a potential civil rights violation. After careful review, we have determined that we are unable to take action on your report.... Team members from the Civil Rights Division reviewed the report you submitted. Based on our review, we have determined that it does not rise to the level of a prosecutable federal criminal civil rights violation. Therefore, we cannot authorize the opening of an investigation.

17. The letter further recommends that Plaintiff "consult an attorney about other legal actions that you may be able to take" and directs Plaintiff to the Legal Services Corporation and the State Bar Association Directory.

18. Plaintiff transmitted no communication to the United States Department of Justice, the Civil Rights Division, or any component thereof during the relevant period other than the service of process upon the Attorney General of the United States, effected by USPS Certified Mail delivered March 3, 2026, as reflected in the Return of Service at ECF No. 34 and the Notice of Service Effectuation at ECF No. 38. Plaintiff sent no "report" to the Civil Rights Division, and filed no civil-rights intake submission with the Department of Justice, in March 2026 or at any other time.

19. Plaintiff takes no position in this Notice regarding the content, characterization, or administrative handling of the April 6, 2026 letter. Service of the summons and Second Amended Complaint upon the Attorney General under Federal Rule of Civil Procedure 4(i)(1)(B) was complete upon certified-mail delivery on March 3, 2026. The Court's March 27, 2026 Minute Order governs the federal defendants' response deadline. Plaintiff submits the letter solely to complete the record of post-service correspondence received from a served defendant.

IV. DEFENDANT DONALD J. TRUMP

20. Plaintiff previously documented at ECF No. 37 a Summons Returned Unexecuted as to Defendant Donald J. Trump. Plaintiff's Motion for Alternative Service Upon President Trump, filed at ECF No. 39 on March 17, 2026, remains pending before this Court.

21. Subsequent to the return of that summons, Plaintiff received from the United States Postal Service a return receipt (PS Form 3811) corresponding to the certified-mail transmission of the Summons and Second Amended Complaint addressed to Defendant Donald J. Trump at

"The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500." The return receipt corresponds to USPS tracking number 9590 9402 9884 5335 8962 79 and USPS Article Number 9589 0710 5270 1986 7708 61. The return receipt bears a rubber stamp reading "RECEIVED APR 22 2026 MSOB Mailroom EOPIOA." Line A (Signature) and Line B (Received by (Printed Name)) of the return receipt are blank. A true and correct copy of the return receipt is included in **Exhibit 1**.

22. Plaintiff submits the foregoing return receipt for the Court's information to complete the record of service-related correspondence received subsequent to the Notice of Service Effectuation at ECF No. 38. Plaintiff takes no position by this Notice regarding whether delivery to the White House mailroom on April 22, 2026, in the absence of any individual signature or printed name on the return receipt, effectuates service upon Defendant Trump in his individual or official capacity under Federal Rule of Civil Procedure 4(i) or 4(e). Plaintiff's pending Motion for Alternative Service Upon President Trump (ECF No. 39) is not withdrawn or modified by this Notice.

Respectfully submitted,

/s/ Joseph Kirchner
Joseph Kirchner
4440 Parklawn Avenue, #203
Edina, MN 55435
(612) 552-2122
legal@lawsofexistence.com
Plaintiff, Pro Se

Dated: April 27, 2026

EXHIBITS

Exhibit 1: Signed USPS Return Receipts (PS Form 3811)

Exhibit 2: Letter from U.S. Department of Justice, Civil Rights Division (dated Apr. 6, 2026)

Exhibit 3: Draft Joint Stipulation and Proposed Order (transmitted Apr. 15, 2026; unexecuted)

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Joseph Kirchner
Joseph Kirchner
Plaintiff, Pro Se

Dated: April 27, 2026