

FILED

12 JAN 17 AM 9:22

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

1 JULIE M. MCCOY, Bar No. 129640
2 JACQUELYNE M. NGUYEN, Bar No. 249658
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8 Attorney for: PLAINTIFF

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 MINH-HUYEN T. PHAN, AKA
15 MINH- HUYEN PHAN,
16 Defendant,

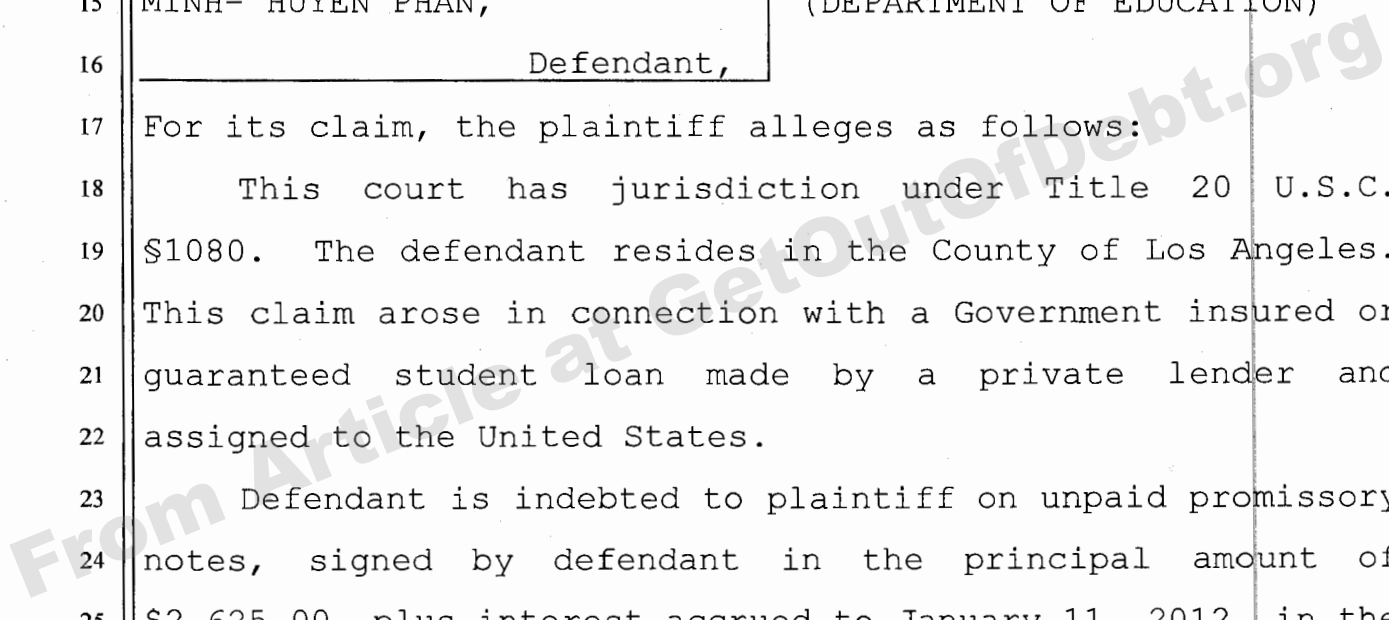
CV12-00385
No.

COMPLAINT ON PROMISSORY NOTE
(DEPARTMENT OF EDUCATION)

17 For its claim, the plaintiff alleges as follows:

18 This court has jurisdiction under Title 20 U.S.C.
19 §1080. The defendant resides in the County of Los Angeles.
20 This claim arose in connection with a Government insured or
21 guaranteed student loan made by a private lender and
22 assigned to the United States.

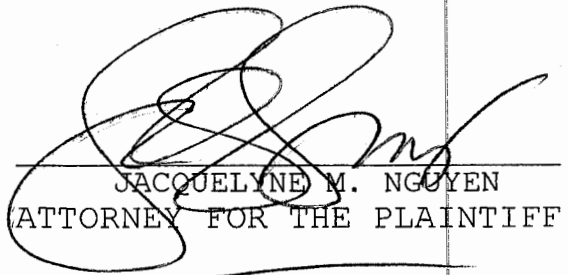
23 Defendant is indebted to plaintiff on unpaid promissory
24 notes, signed by defendant in the principal amount of
25 \$2,625.00, plus interest accrued to January 11, 2012, in the
26 sum of \$4,031.44, with interest accruing thereafter at 8%
27 per year; plus administrative charges of \$0.00, and
28 attorney's fees, and costs.



1 Defendant is in default under the terms of said notes
2 and despite repeated demands upon him to pay, a balance is
3 still owed.

4 WHEREFORE, plaintiff prays for judgment against
5 defendant in the principal amount of \$2,625.00, plus
6 interest accrued to January 11, 2012, in the sum of
7 \$4,031.44, with interest accruing thereafter at 8% per year;
8 plus \$0.00 for administrative charges, and attorney's fees,
9 and costs.

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13 DATED: January 11, 2012



JACQUELYNE M. NGUYEN
ATTORNEY FOR THE PLAINTIFF

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From Article at GetOutOfDebt.org

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Attorneys for: PLAINTIFF

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MINH-HUYEN T. PHAN, AKA

MINH- HUYEN PHAN,

Defendant

No. **CV 12- 00385**

SUMMONS

TO THE ABOVE-NAMED DEFENDANT, You are hereby summoned and required to file with the court and serve upon:

Plaintiff's attorney, whose address is:

LAW OFFICES OF JULIE M. MCCOY
1670 SANTA ANA AVE., SUITE. "K"
COSTA MESA, CA 92627

an answer to the complaint which is herewith served upon you within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Date:

JAN 17 2012

TERRY NAFISI, CLERK

By: _____

Deputy Clerk

(SEAL OF THE COURT)

SUMMONS

CIVIL COVER SHEET

I (a) PLAINTIFFS UNITED STATES OF AMERICA

DEFENDANTS MINH-HUYEN T. PHAN, AKA MINH-HUYEN PHAN

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF EXCEPT IN U.S. PLAINTIFF CASES

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Los Angeles

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

JULIE M. MCCOY
LAW OFFICES OF JULIE M. MCCOY
485 E. 17th ST. SUITE 390
COSTA MESA, CA 92627

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE FOR DEFENDANT)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties In Item III)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. ORIGIN (PLACE AN x IN ONE BOX ONLY)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district Litigation
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

V. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$6,656.44 JURY DEMAND: YES NO

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.) BREACH OF CONTRACT/PROMISSORY NOTE

VII. NATURE OF SUIT (PLACE AN x IN ONE BOX ONLY)

Table with columns: OTHER STATUTES, CONTRACT, TORTS, FORFEITURE/PENALTY, LABOR, PRISONER PETITIONS, REAL PROPERTY, CIVIL RIGHTS, FEDERAL TAX SUITS, BANKRUPTCY, SOCIAL SECURITY, PROPERTY RIGHTS. Includes various legal categories like 400 State Reapportionment, 110 Insurance, 310 Airplane Liability, etc.

CV12-00385

VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? No Yes

If yes, list case number(s): CV A 99-09709 U.S. v. PHAN

AFTER COMPLETING THE FRONT SIDE OF FORM JS-44C, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case? No Yes

If yes, list case number(s): _____

CIVIL CASES ARE DEEMED RELATED IF A PREVIOUSLY FILED CASE AND THE PRESENT CASE:

(CHECK ALL BOXES THAT APPLY)

- A. Appear to arise from the same or substantially identical transactions, happenings, or events;
- B. Involve the same or substantially the same parties or property;
- C. Involve the same patent, trademark or copyright;
- D. Call for determination of the same or substantially identical questions of law, or
- E. Likely for other reasons may entail unnecessary duplication of labor if heard by different judges.

IX. VENUE: List the California County, or State if other than California, in which **EACH** named plaintiff resides. (Use an additional sheet if necessary)
LOS ANGELES COUNTY

CHECK HERE IF THE US GOVERNMENT, ITS AGENCIES OR EMPLOYEES IS A NAMED PLAINTIFF.

List the California County, or State if other than California, in which **EACH** named defendant resides. (Use an additional sheet if necessary).
LOS ANGELES COUNTY

CHECK HERE IF THE US GOVERNMENT, ITS AGENCIES OR EMPLOYEES IS A NAMED DEFENDANT.

List the California County, or State if other than California, in which **EACH** claim arose. (Use an additional sheet if necessary)

NOTE: In land condemnation cases, use the location of the tract of land involved.

LOS ANGELES COUNTY

X. SIGNATURE OF ATTORNEY (OR PRO PER): X 

Date: January 11, 2012

NOTICE TO COUNSEL/PARTIES: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3.3 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

<u>NATURE OF SUIT CODE</u>	<u>ABBREVIATION</u>	<u>SUBSTANTIVE STATEMENT OF CAUSE OF ACTION</u>
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for ?Black Lung? benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))