



**U.S. Department of Justice**

*United States Attorney  
District of New Jersey*

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C.R.R.R.R.

December 9, 2010

Gary E. Fox, Esq.  
Fox & Melofchik, L.L.C.  
Copper Gables Professional Bldg.  
1001 Deal Road  
Ocean, New Jersey 07712

Re: Church Towers v. Holco Capital  
Civ. Action No. 10-638 (PGS)

Dear Mr. Fox:

This office has been informed that your client, Church Towers Urban Renewal Corporation, has filed a Complaint in the above matter naming the Governmental National Mortgage Association (GNMA) as one of the defendants. I am advised that you sent a Summons and the Complaint to the GNMA via Regular and certified Mail on or about September 21, 2010. I note that service upon the federal agency alone is not a valid form of service under Federal Rule of Civil Procedure 4(i) and therefore does not satisfy the service requirements for service upon the United States or its agencies or officials.

Please be advised that under Federal Rule of Civil Procedure 12(a)(2), the United States is only obligated to respond to the Complaint in this matter within sixty days of proper service upon the appropriate United States Attorney. The sixty-day period

within which the United States must respond to the Complaint in this matter will not begin to run unless and until proper service of process upon the United States Attorney has been effected, and this office will refrain from filing a response to the Complaint until that time.

Very truly yours,

PAUL J. FISHMAN  
United States Attorney



By: JAMES B. CLARK III  
Assistant U.S. Attorney

cc: Clerk, United States District Court (E-File)  
50 Walnut Street  
Newark, New Jersey 07102

Bennett D. Zurofsky, Esq. (C.M.R.R.R.)  
17 Academy Street, Suite 1010  
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Dana Boyd, Esq. (E-Mail)