

Mathew Tyler  
550 Vallombrosa Ave. #6471  
Chico, CA 95927

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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

Mathew Tyler ,

CASE NO: 2:25-CV-00404-DAD-DMC

VS.

**SUMMONS IN A CIVIL CASE**

118th US Congress , et al. ,

TO: 118th US Congress, Benjamin C. Mizer, US  
Attorney's Office of Northern California, US  
Department of Justice

Defendant's Address:

**YOU ARE HEREBY SUMMONED** and required to serve on:

Mathew Tyler  
550 Vallombrosa Ave. #6471  
Chico, CA 95927

an answer to the complaint which is served on you with this summons, **within 60 days after service of this summons on 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. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**KEITH HOLLAND**

CLERK

/s/ K. Zignago

(By) DEPUTY CLERK



ISSUED ON 2025-01-30 12:00:54  
CLERK, USDC EDCA

### RETURN OF SERVICE

Service of the Summons and complaint was made by me (I)	DATE
NAME OF SERVER (PRINT)	TITLE

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of bode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Other (specify) : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_

Date \_\_\_\_\_

*Signature of Server* \_\_\_\_\_

*Address of Server* \_\_\_\_\_

MIME-Version:1.0 From:caed\_cmecl\_helpdesk@caed.uscourts.gov To:CourtMail@localhost.localdomain

Mathew Tyler

550 Vallombrosa Ave. #6471

Chico CA 95927

US

--Case Participants: Magistrate Judge Dennis M. Cota (caed\_cmecl\_dmc@caed.uscourts.gov), District Judge Dale A. Drozd (caed\_cmecl\_dad@caed.uscourts.gov, pbuzo@caed.uscourts.gov)

--Non Case Participants:

--No Notice Sent:

Message-Id: Subject:Activity in Case 2:25-cv-00404-DAD-DMC (PS) Tyler v. 118th US Congress et al  
Summons. Content-Type: text/html

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*U.S. District Court*

*Eastern District of California – Live System*

### **Notice of Electronic Filing**

The following transaction was entered on 1/30/2025 at 12:00 PM PST and filed on 1/30/2025

**Case Name:** (PS) Tyler v. 118th US Congress et al

**Case Number:** 2:25-cv-00404-DAD-DMC

**Filer:**

**Document Number:** 6

**Docket Text:**

SUMMONS ISSUED as to \*118th US Congress, Benjamin C. Mizer, US Attorney's Office of Northern California, US Department of Justice\* with answer to complaint due within \*60\* days. Attorney \*Mathew Tyler\* \*550 Vallombrosa Ave. #6471\* \*Chico, CA 95927\*. (Deputy Clerk KEZ)

**2:25-cv-00404-DAD-DMC** Notice has been electronically mailed to:

**2:25-cv-00404-DAD-DMC** Electronically filed documents must be served conventionally by the filer to:

Mathew Tyler

550 Vallombrosa Ave. #6471

Chico CA 95927

US

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

Mathew Tyler ,

CASE NO: 2:25-CV-00404-DAD-DMC

VS.

**SUMMONS IN A CIVIL CASE**

118th US Congress , et al. ,

TO: California Attorney General, James  
Gallagher, Fiona Ma, New Hampshire DOJ, Rhode  
Island EEOC, Utah Attorney General, Utah Lt.  
Governor, Washington US Attorney / DOJ, Shirley  
Weber

Defendant's Address:

**YOU ARE HEREBY SUMMONED** and required to serve on:

Mathew Tyler  
550 Vallombrosa Ave. #6471  
Chico, CA 95927

an answer to the complaint which is served on you with this summons, **within 21 days after service of this summons on 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. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**KEITH HOLLAND**

CLERK

/s/ K. Zignago

(By) DEPUTY CLERK



## RETURN OF SERVICE

Service of the Summons and complaint was made by me (I)	DATE
NAME OF SERVER (PRINT)	TITLE

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- Left copies thereof at the defendant's dwelling house or usual place of bode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify) : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_

Date \_\_\_\_\_

*Signature of Server* \_\_\_\_\_

*Address of Server* \_\_\_\_\_

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Mathew Tyler  
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*U.S. District Court*

*Eastern District of California – Live System*

### **Notice of Electronic Filing**

The following transaction was entered on 1/30/2025 at 11:59 AM PST and filed on 1/30/2025

**Case Name:** (PS) Tyler v. 118th US Congress et al

**Case Number:** 2:25-cv-00404-DAD-DMC

**Filer:**

**Document Number:** 5

**Docket Text:**

SUMMONS ISSUED as to "California Attorney General, James Gallagher, Fiona Ma, New Hampshire DOJ, Rhode Island EEOC, Utah Attorney General, Utah Lt. Governor, Washington US Attorney / DOJ, Shirley Weber\* with answer to complaint due within \*21\* days. Attorney \*Mathew Tyler\* \*550 Vallombrosa Ave. #6471\* \*Chico, CA 95927\*. (Deputy Clerk KEZ)

**2:25-cv-00404-DAD-DMC** Notice has been electronically mailed to:

**2:25-cv-00404-DAD-DMC** Electronically filed documents must be served conventionally by the filer to:

Mathew Tyler  
550 Vallombrosa Ave. #6471  
Chico CA 95927  
US

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

MATHEW TYLER, NO. 2:25-CV-00404-DAD-DMC PS

**Plaintiff, INITIAL SCHEDULING ORDER  
PRO SE CASES**

#### PRO SE CASES

118TH US CONGRESS, ET AL.,

**Defendant(s).**

17 This action has been assigned to Magistrate Judge Dennis M. Cota. Because at least one party  
18 proceeds without the assistance of counsel, the Local Rules dictate the Magistrate Judge will (1) resolve  
19 all non-dispositive matters, and (2) conduct all hearings and issue findings and recommendations on any  
20 dispositive matters. See Local Rule 302(c)(21).

21 Should the parties wish to consent to the jurisdiction of the Magistrate Judge for all purposes,  
22 including for the entry of final judgment, they may do so using the court's "Consent to Assignment or  
23 Request for Reassignment" form. See 28 U.S.C. § 636(c). There is no obligation to consent, and under  
24 Federal Rule of Civil Procedure 73(b)(1), the judges will not be notified of a party's choice unless all  
25 parties have consented.

26       Because a consent designation assists the court in determining how the action will be  
27       administratively processed, the parties are instructed to make their election and notify the Clerk of the  
28       Court as soon as practicable.

1 Pursuant to Federal Rule of Civil Procedure 16 and Local Rule 240, IT IS HEREBY ORDERED:

- 2 1. The Clerk of the Court shall send plaintiff(s) a copy of this order; a summons; and a copy
- 3 of the "Consent to Assignment or Request for Reassignment" information.<sup>1</sup>
- 4 2. Plaintiff shall complete service of process on all defendants named in the complaint within
- 5 90 days from the date of this order. Plaintiff shall provide each defendant with a copy of
- 6 (i) the summons; (ii) the complaint; (iii) this order; and (iv) the Consent to Assignment or
- 7 Request for Reassignment information.
- 8 a. Within 10 days after service of process on a given defendant, plaintiff(s) shall file
- 9 with the Clerk a certificate stating that the defendant was served under Rule 4.
- 10 b. The court cautions plaintiff(s) that this case may be dismissed if service of process
- 11 is not accomplished within 90 days. See Federal Rule of Civil Procedure 4(m).
- 12 3. The parties shall file their completed Consent to Assignment or Request for Reassignment
- 13 form within 30 days of service of process (or 60 days if the U.S. is a party to this action).

14 **If a defendant responds to the complaint by motion:**

- 15 4. Defendant(s) shall notice the motion for a hearing, as outlined in Local Rule 230(b). The
- 16 court's available hearing dates can be found on chambers' website, at:  
<https://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/>
- 17 5. Within 14 days of the filing of the motion, plaintiff(s) shall file opposition (or non-
- 18 opposition). See Local Rule 230(c). The court advises plaintiff(s) that, within 21 days of
- 19 service of a defendant's motion under Rules 12(b), (e), or (f), plaintiff may amend the
- 20 complaint once as a matter of right. See Federal Rule of Civil Procedure 15(a)(1).
- 21 6. The court cautions plaintiff(s) that a failure to timely respond to the motion may result in
- 22 the loss of a right to be heard at oral arguments, and may be taken as consent to granting
- 23 of the motion. See Local Rule 230(c).

25 ////

26 \_\_\_\_\_

27 <sup>1</sup> If this action was originally filed in state court and removed to this court, the Clerk need not send a  
28 summons and complaint to plaintiff. Instead, the removing party shall (a) immediately serve upon each of  
the other parties, and upon all parties subsequently joined, a copy of this order and copy of the Consent  
to Assignment or Request for Reassignment form, and (b) file a notice that these parties have been served.

**If a defendant files an answer to the complaint:**

7. Within 30 days after an answer is filed, the parties shall discuss, in person or by telephone, as required by Federal Rule of Civil Procedure 26.
  8. Within 7 days after the parties' Rule 26 discussion, the parties shall file a joint status report with the court for the entry of a pretrial scheduling order. This report shall address the relevant portions of Local Rule 240(a), and shall be filed as a joint status report and request for hearing before the Magistrate Judge.

## Miscellaneous Orders

9. The parties are reminded of their continuing duty to notify chambers immediately of any settlement or other disposition. See Local Rule 160.
  10. While the court can liberally construe filings by parties who are not represented by counsel, unrepresented parties are still required to comply with the Federal Rules, the court's Local Rules, and all orders of the court. Under Local Rule 110, a failure to do so "may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court," including monetary sanctions, the striking of a pleading or motion, or dismissal of the case.

/s/ DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE

# UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA  
501 I STREET, SUITE 15-220  
SACRAMENTO, CA 95814

Chambers of  
**TROY L. NUNLEY**  
Chief United States District Judge

## Magistrate Judge Consent in Civil Cases: Know Your Rights!

Delay, congestion, uncertainty, and expense are concerns often expressed by civil litigants. These concerns have reached a crisis level in the Eastern District of California.

Despite the population of our District nearly doubling since 1979 and a corresponding tremendous increase in case filings, for the past 40 years our court has only 6 authorized District Judgeship positions. The U.S. Judicial Conference, the policy-making arm of the federal courts, has recommended for decades that Congress authorize between 5 and 11 new judgeships for this court. While the court is doing what it can to ensure Congress is fully informed regarding our current proposed allocation of 5 new judgeships, we cannot at this point say there is a realistic hope of new District Judgeships in the foreseeable future.

As a result, the Eastern District has been significantly congested for many years, consistently carrying average weighted caseloads equal or close to twice the national average for federal trial courts. Given our current more dire circumstances, civil litigants are having to vie for less and less District Judge time and attention. Civil litigants therefore may wish to consider consenting to Magistrate Judge jurisdiction, given that the court has a full complement of experienced Magistrate Judges available to preside to the full extent allowed by law.

The Magistrate Judge consent process can help bring about the “just, speedy, and inexpensive determination” of federal cases. Fed. R. Civ. P. 1. Although their title has changed periodically, Magistrate Judges, as they currently are known, have had a role in the federal courts since passage of the Judiciary Act of 1789. Over time, Congress has expanded and enhanced the position in the interests of maximizing judicial efficiency. Specifically, Magistrate Judges are authorized “to conduct any or all proceedings in a jury or non-jury civil matter and order the entry of judgment in the case” with the consent of the parties. 28 U.S.C. § 636(c). Consent can maximize access to the courts and ease court congestion through effective use of judicial resources. It can provide numerous benefits to litigants including the prospect of an early and firm trial date, when District Judges may not be available to try a civil case given the need to prioritize felony criminal cases.

In civil cases, the assigned Magistrate Judge already is responsible for resolving discovery disputes, deciding other non-dispositive motions and in some instances handling pre-trial proceedings; as a result that judge may be intimately familiar with the case history. Consenting in any civil case allows the Magistrate Judge to decide dispositive motions and preside over trial, and so can avoid the uncertainty parties may face while waiting for the District Judge to identify time on his or her calendar for trial. Just as with a judgment issued by a District Judge, a judgment issued by a Magistrate Judge to whom the parties in a civil case have consented is appealable directly to the Ninth Circuit Court of Appeals.

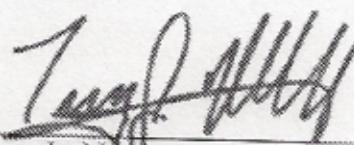
As their professional biographies posted on our court's website show, our Magistrate Judges are well-qualified to preside over the cases assigned them. They are experienced, high-caliber judges

with diverse experiences in civil and criminal litigation who have been selected on the merits, taking into account their education, experience, knowledge of the court system, personal attributes and other criteria. Our Magistrate Judges are well-qualified to preside over the civil cases brought in our court. To consent to magistrate judge jurisdiction, a party simply signs and files a consent form. The form is available on the court's website, at this link:

<http://www.caed.uscourts.gov/caednew/index.cfm/forms/civil/>.

Parties may consent or withhold consent without any adverse consequences. Once all parties to a case consent, then the assigned District Judge is notified and considers whether to approve the consent. Once the District Judge accepts, then the Magistrate Judge determines whether to accept consent jurisdiction, taking the opportunity to consider any conflicts or bases for recusal.

All litigants before the federal courts deserve justice delivered in a fair, prompt, and efficient manner. Our Magistrate Judges play a critical role in providing essential access to justice, particularly in our overburdened court. Consenting to Magistrate Judge jurisdiction in civil cases may represent one of the best ways to secure "just, speedy, and inexpensive determination" of your case, which is why we want to be sure you are fully aware of your right and ability to consent, and the means of doing so.



Troy L. Nunley  
Chief United States District Judge

**NOTICE OF AVAILABILITY OF A MAGISTRATE JUDGE  
TO EXERCISE JURISDICTION AND APPEAL INSTRUCTIONS**

You are hereby notified in accordance with 28 U.S.C §636(c), F.R.Civ.P.73 and Local Rule 305, the United States Magistrate Judges sitting in Sacramento and Fresno are available to exercise the court's case-dispositive jurisdiction and to conduct any or all case-dispositive proceedings in this action, including motions to dismiss, motions for summary judgment, a jury or non jury trial, and entry of a final judgment. Exercise of this jurisdiction by a Magistrate Judge is however, permitted only if all parties voluntarily consent. You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's case-dispositive jurisdiction from being exercised by a Magistrate Judge.

Any appeal from a judgment entered by a Magistrate Judge is taken directly to the United States Court of Appeals for the Ninth Circuit or, where appropriate, for the Federal Circuit in the same manner as an appeal from any other judgment of a District Court.

Whether or not the parties consent pursuant to 28 U.S.C. § 636(c), the assigned Magistrate Judge will hear all motions except those case-dispositive motions set forth in 28 U.S.C. § 636(b)(1)(A).

A copy of the Form for "Consent to / Decline of Jurisdiction of United States Magistrate Judge" is attached hereto for pro per use and attorney information. This form is available in fillable .pdf format on the court's web site at [www.caed.uscourts.gov](http://www.caed.uscourts.gov) for all attorney ECF filers. This form may be filed through CM/ECF or by pro se litigants at the appropriate Clerk's Office location.

Office of the Clerk  
501 I Street, Room 4-200  
Sacramento, CA 95814

Office of the Clerk  
2500 Tulare Street, Suite 1501  
Fresno, CA 93721

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MATHEW TYLER ,

Plaintiff(s) / Petitioner(s),

vs.

118TH US CONGRESS , ET AL. ,

Defendant(s) / Respondent(s).

CASE NO: 2:25-CV-00404-DAD-DMC

**CONSENT / DECLINE OF U.S.  
MAGISTRATE JUDGE JURISDICTION**

**IMPORTANT**

**IF YOU CHOOSE TO CONSENT OR DECLINE TO CONSENT TO JURISDICTION OF  
A UNITED STATES MAGISTRATE JUDGE, CHECK AND SIGN THE APPROPRIATE  
SECTION OF THIS FORM AND RETURN IT TO THE CLERK'S OFFICE.**

**CONSENT TO JURISDICTION OF UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of Title 28, U.S.C Sec. 636(c)(1), the undersigned hereby voluntarily consents to have a United States Magistrate Judge conduct all further proceedings in this case, including trial and entry of final judgment, with direct review by the Ninth Circuit Court of Appeals, in the event an appeal is filed.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Plaintiff / Petitioner     Defendant / Respondent

Counsel for \_\_\_\_\_ \*

**DECLINE OF JURISDICTION OF UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, U.S.C. Sec 636(c)(2), the undersigned acknowledges the availability of a United States Magistrate Judge but hereby declines to consent.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Plaintiff / Petitioner     Defendant / Respondent

Counsel for \_\_\_\_\_ \*

*\*If representing more than one party, counsel must indicate the name of each party responding.*

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Mathew Tyler

550 Vallombrosa Ave. #6471

Chico CA 95927

US

--Case Participants: Magistrate Judge Dennis M. Cota (caed\_cmecl\_dmc@caed.uscourts.gov), District Judge Dale A. Drozd (caed\_cmecl\_dad@caed.uscourts.gov, pbuzo@caed.uscourts.gov)

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*Docket Text:*

CIVIL NEW CASE DOCUMENTS ISSUED; (Deputy Clerk KEZ)

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