

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

AMERICAN PETROLEUM INSTITUTE,
CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA, and
NATIONAL FOREIGN TRADE COUNCIL,

Plaintiffs,

v.

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Defendant.

Civil Action No. 1:12-cv-1668 (JDB)

PROOF OF SERVICE

Pursuant to Federal Rule of Civil Procedure 4(l) and Local Civil Rule 5.3, the undersigned hereby certifies that on October 11, 2012, the Defendant United States Securities and Exchange Commission was served by hand-delivering copies of the complaint and summons issued in the above-captioned proceeding to Veronica Gillette, Program Information Specialist for the Securities and Exchange Commission. A true and correct copy of the affidavit executed by the individual making such service is attached hereto.

Pursuant to Federal Rules of Civil Procedure 4(i) and 4(l), the undersigned hereby also certifies that on October 11, 2012, the Attorney General of the United States and the U.S. Attorney for the District of Columbia were served by hand-delivering copies of the complaint and summons issued in the above-captioned proceeding to Steffon Edmonds, Correspondence Clerk for the Department of Justice, and Joseph Mark Finnegan, Paralegal Specialist for the U.S.

Attorney for the District of Columbia. True and correct copies of the affidavits executed by the individual making such service are attached hereto.

Respectfully submitted,

Dated: October 23, 2012

/s/ Eugene Scalia
Eugene Scalia, SBN 447524
Counsel of Record
EScalia@gibsondunn.com
Thomas M. Johnson, Jr., SBN 976185
TJohnson@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
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Attorneys for Plaintiffs

Of Counsel
Harry M. Ng, SBN 416604
Peter C. Tolsdorf, SBN 503476
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*Counsel for Plaintiff American Petroleum
Institute*

Of Counsel
Robin S. Conrad, SBN 342774
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National Chamber Litigation Center, Inc.
1615 H Street, N.W.
Washington, D.C. 20062
Telephone: 202.463.5337

*Counsel for Plaintiff Chamber of Commerce of
the United States of America*

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

American Petroleum Institute, et al.)	
)	
)	
Plaintiff(s))	Case No.: 12-1668 JDB
)	
v.)	
United States Securities and Exchange Commission)	
)	
)	
Defendant)	

AFFIDAVIT OF SERVICE

I, Ted Metzger, a Private Process Server, being duly sworn, depose and say:

That I have been duly authorized to make service of the Summons, Complaint, Notice of Designation of Related Cases Pending in this or any other United States Court, and Certificate(s) Rule LCvR 7.1 in the above entitled case.

That I am over the age of eighteen years and am not a party to or otherwise interested in this matter.

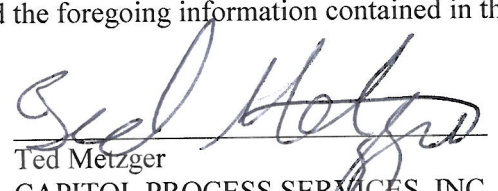
That on October 11, 2012 at 3:37 PM, I served United States Securities and Exchange Commission with the Summons, Complaint, Notice of Designation of Related Cases Pending in this or any other United States Court, and Certificate(s) Rule LCvR 7.1 at 100 F Street, NE, Washington, DC 20549 by serving Veronica Gillette, Program Information Specialist, authorized to accept.

Veronica Gillette is described herein:

Gender: Female Race/Skin: Black Hair: Black Age: 50 Height: 5'8" Weight: 190

I declare under penalty of perjury that I have read the foregoing information contained in the Affidavit of Service and that the facts stated in it are true and correct.

10/12/2012
Executed on:


 Ted Metzger
 CAPITOL PROCESS SERVICES, INC.
 1827 18th Street, NW
 Washington, DC 20009-5526
 (202) 667-0050

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

American Petroleum Institute, et al.

Plaintiff(s)

v.

United States Securities and Exchange Commission

Defendant

Case No.: 12-1668 JDB

AFFIDAVIT OF SERVICE

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That I have been duly authorized to make service of the Summons, Complaint, Notice of Designation of Related Cases Pending in this or any other United States Court, and Certificate(s) Rule LCvR 7.1 in the above entitled case.

That I am over the age of eighteen years and am not a party to or otherwise interested in this matter.

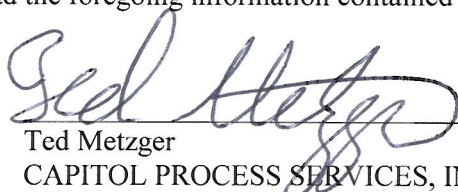
That on October 11, 2012 at 2:23 PM, I served US Attorney General with the Summons, Complaint, Notice of Designation of Related Cases Pending in this or any other United States Court, and Certificate(s) Rule LCvR 7.1 at 950 Pennsylvania Avenue, NW, Washington, DC 20530 by serving Steffon Edmonds, Correspondence Clerk, authorized to accept.

Steffon Edmonds is described herein:

Gender: Male Race/Skin: Black Hair: Black Age: 25 Height: 6'0" Weight: 170

I declare under penalty of perjury that I have read the foregoing information contained in the Affidavit of Service and that the facts stated in it are true and correct.

10/12/2012
Executed on:


Ted Metzger
CAPITOL PROCESS SERVICES, INC.
1827 18th Street, NW
Washington, DC 20009-5526
(202) 667-0050

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

American Petroleum Institute, et al.)	
)	
)	
Plaintiff(s))	Case No.: 12-1668 JDB
)	
v.)	
United States Securities and Exchange Commission)	
)	
Defendant)	

AFFIDAVIT OF SERVICE

I, Ted Metzger, a Private Process Server, being duly sworn, depose and say:

That I have been duly authorized to make service of the Summons, Complaint, Notice of Designation of Related Cases Pending in this or any other United States Court, and Certificate(s) Rule LCvR 7.1 in the above entitled case.

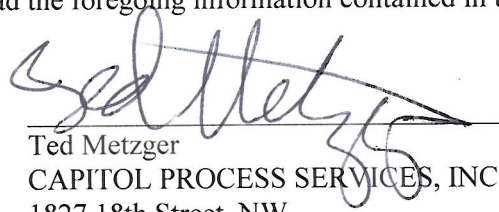
That I am over the age of eighteen years and am not a party to or otherwise interested in this matter.

That on October 11, 2012 at 3:08 PM, I served US Attorney for the District of Columbia with the Summons, Complaint, Notice of Designation of Related Cases Pending in this or any other United States Court, and Certificate(s) Rule LCvR 7.1 at 501 3rd Street, NW, Washington, DC 20001 by serving Joseph Mark Finnegan, Paralegal Specialist, authorized to accept.

Joseph Mark Finnegan is described herein:
Gender: Male Race/Skin: White Hair: Brown Age: 45 Height: 6'0" Weight: 175

I declare under penalty of perjury that I have read the foregoing information contained in the Affidavit of Service and that the facts stated in it are true and correct.

10/12/2012
Executed on:


 Ted Metzger
 CAPITOL PROCESS SERVICES, INC.
 1827 18th Street, NW
 Washington, DC 20009-5526
 (202) 667-0050