

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FREEDOM WATCH, INC.	)	
	)	
<i>Plaintiff,</i>	)	Civil Action No. 1:12-cv-00731 (RBW)
	)	Judge Reggie B. Walton
v.	)	
	)	
ORGANIZATION OF THE PETROLEUM EXPORTING COUNTRIES	)	
	)	
<i>Defendant.</i>	)	

**DECLARATION OF FRIEDRICH LUGER**

I, Friedrich LUGER, senior police inspector of the Provincial Department for State Protection, hereby declare:

1. I am not, and have never been, an employee of the Organization of the Petroleum Exporting Countries (OPEC). I have been employed with the police since 1978 and am currently serving as a plain-clothes police officer in the Provincial Department for State Protection.

2. On May 14, 2012, I was tasked with performing security services at OPEC Headquarters at 1010 Vienna, Helferstorferstrasse 17. At a time when the OPEC security officer was temporarily absent from the reception desk, two individuals, an elderly man and young woman, approached me and told me in English that they had to deliver a letter. These individuals did not tell me who they were or what organization had sent them. They did not ask me any questions and made no representations to me. They did not inform me what the envelope contained, nor was I asked whether I was authorized to accept service. They did not ask me what

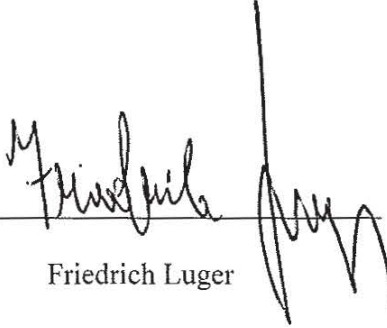
function I have. After having handed over the letter, they asked me for my name which I told them.

3. A copy of the proof of service from 30 May 2012 (Attachment 1) in English is being presented to me. In addition to misspelling my name, that proof of service is incorrect in many other respects. As I already stated in Item 1, I am not an intake officer of OPEC and am not designated by law to accept service of process on behalf of OPEC or to act on behalf of OPEC's Secretary General. If the two persons had told me that it was a document from court, I would not have accepted this informal envelope on which no sender was specified. I was under the assumption that it was a private document, an application or mail advertising.

4. This is an English-language translation of my original affidavit, which is in German and which is included as Attachment 2.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 31, 2012.

  
Friedrich Luger

Declaration of Friedrich Luger  
Attachment 1

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No.

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* the Organization of the Petroleum Exporting Countries  
was received by me on *(date)* 05/14/2012.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* Frederick Luger, who is  
designated by law to accept service of process on behalf of *(name of organization)* the Organization of the  
Petroleum Exporting Countries on *(date)* 05/14/2012 ; or

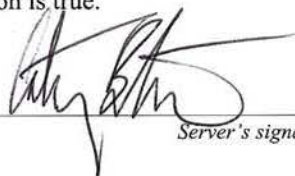
I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 05/30/2012



*Server's signature*

Courtney Butcher  
*Printed name and title*

269 S. Beverly Drive  
Beverly Hills, CA 90212

*Server's address*

Additional information regarding attempted service, etc:

Mr. Luger accepted service of the Complaint as intake officer of OPEC on behalf of OPEC's Secretary General and OPEC at OPEC Headquarters, Helderstorferstrasse 17, A-1010, Vienna, Austria.

Declaration of Friedrich Luger  
Attachment 2



Wien, am 30.10.2012

Landesamt Verfassungsschutz

1010 Wien, Schottenring 7-9

Betreff: **14.05.2012**

### **ERKLÄRUNG:**

Ich, Friedrich LUGER, Abteilungsinspektor, des Landesamtes Verfassungsschutz, erkläre folgendes:

1.

Ich bin kein Angestellter der Organisation erdölexportierender Länder (OPEC) und war dies auch zu keinem Zeitpunkt.

Ich bin seit 1978 im polizeilichen Dienst und bin derzeit ziviler Exekutivbediensteter im Landesamt Verfassungsschutz.

2.

Am 14.05.2012 war ich mit Sicherungsaufgaben im Hauptgebäude der OPEC, 1010 Wien, Helfersdorferstraße 17, beschäftigt.

Als der Sicherheitsbeauftragte der OPEC kurzzeitig nicht am Empfangspult war, kamen zwei Personen, ein älterer Mann und eine junge Frau, welche mir auf Englisch sagten, sie hätten einen Brief zu übergeben. Diese Personen haben mir nicht gesagt, wer oder von welcher Organisation sie sind. Sie haben mir keine Fragen gestellt und haben keine Erklärungen abgegeben. Sie haben mir nicht mitgeteilt, was sich in dem Umschlag befindet. Ich wurde auch nicht gefragt, ob ich bevollmächtigt bin, Zustellungen entgegenzunehmen.

Sie haben mich nicht gefragt, welche Funktion ich inne habe.

Nach der Übergabe des Briefes haben sie mich nach meinem Namen gefragt, diesen habe ich ihnen mitgeteilt.

3.

Mir wird eine Kopie eines Zustellnachweises vom 30.05.2012 in englischer Sprache, Beilage 1, vorgelegt. Abgesehen von der falschen Schreibweise meines Namens ist dieser Zustellnachweis mehrfach unrichtig. Wie ich schon unter Punkt 1 angegeben habe bin ich kein Beamter der Einlaufstelle der OPEC und bin nicht kraft Gesetzes befugt, Zustellungen im Namen der OPEC entgegenzunehmen oder im Namen des Generalsekretärs der OPEC zu handeln.

Wenn mir die beiden Personen gesagt hätten, es sei ein Schriftstück eines Gerichtes, hätte ich dieses formlose Kuvert ohne Absender nicht übernommen. Ich war der Annahme, es sei ein privates Schriftstück, eine Bewerbung oder eine Werbezuschrift.

Wien, am 31.10.2012

  
Friedrich Luger, Abteilungsinspektor

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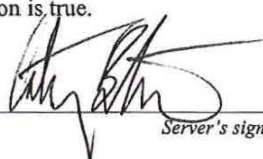
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Date: 05/30/2012

  
\_\_\_\_\_  
*Server's signature*

Courtney Butcher  
*Printed name and title*

269 S. Beverly Drive  
Beverly Hills, CA 90212  
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