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7
 8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA

11 DC Comics,

12 Plaintiff,

13 v.

14 Mark Towle, an individual and doing
 15 business as Gotham Garage, and Does 1 -
 10, inclusive,

16 Defendants.

Case No. CV11-03934 RSWL (OPx)

17 }
 18 } **ORDER GRANTING**
 19 } **PLAINTIFF'S *EX PARTE***
 20 } **APPLICATION FOR ORDER**
 21 } **AUTHORIZING SERVICE OF**
 22 } **PROCESS ON DEFENDANT BY**
 23 } **PUBLICATION AND MAIL AND**
 24 } **REQUEST FOR ENLARGEMENT**
 25 } **OF TIME WITHIN WHICH TO**
 26 } **EFFECT SERVICE**

18
 19 The Court has read and considered all papers filed in connection with Plaintiff
 20 DC Comics' ("Plaintiff") *Ex Parte* Application for Order Authorizing Service of
 21 Process on Defendant by Publication and Mail and Request for Enlargement of Time
 22 Within Which to Effect Service ("Application"), and it appears to the satisfaction of
 23 the Court that Defendant Mark Towle, an individual and doing business as Gotham
 24 Garage ("Defendant"), cannot be served with reasonable diligence in any other
 25 manner set forth in California Code of Civil Procedure §§ 415.10 through 415.40.
 26 The Court also finds that Plaintiff has stated facts sufficient to constitute a cause of
 27 action against Defendant.

1 THEREFORE, IT IS HEREBY ORDERED that the Application is granted as
2 follows:

- 3 1) Service of the summons in this action on Defendant shall be accomplished by
4 publication in the Orange County Register, a newspaper published in the State of
5 California, and designated as the newspaper most likely to give actual notice to
6 Defendant.
- 7 2) The publication shall be made once a week for four (4) successive weeks,
8 pursuant to California Government Code § 6064.
- 9 3) Plaintiff shall concurrently mail a copy of the summons, complaint and order
10 for publication to both the last known address for Defendant and the address of
11 Defendant's counsel.
- 12 4) This order does not preclude service upon Defendant in any other manner
13 authorized by the Federal Rules of Civil Procedure, which service supersedes the
14 service by publication.
- 15 5) Plaintiff shall have a sixty (60) day enlargement of time within which to serve
16 Defendant, and in no event later than November 2, 2011.

17
18 Dated: September 6, 2011

RONALD S.W. LEW

Hon. Ronald S.W. Lew
District Judge, United States District
Court, Central District of California