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UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Petitioner,

٧.

PETER D. FINCH,

Respondent.

Case No. CV 17-1772 FMO (KSx)

ORDER TO SHOW CAUSE

Based upon the Petition to Enforce Internal Revenue Service Summons, Memorandum of Points and Authorities, and supporting Declaration, the Court finds that Petitioner has established a prima facie case for judicial enforcement of the subject Internal Revenue Service (IRS) summons. See <u>United States v. Powell</u>, 379 U.S. 48, 57-58, 85 S.Ct. 248, 255 (1964). Accordingly, **IT IS ORDERED THAT:**

- Respondent shall appear in Courtroom 6D of the First Street Courthouse at 10:00
 a.m. on Thursday, April 20, 2017, to show cause why the production of books, papers, records, and other data demanded in the subject IRS summons should not be compelled.
- 2. Plaintiff shall serve copies of the following documents on Respondent by personal delivery, by leaving a copy at Respondent's dwelling or usual place of abode with someone of suitable age and discretion who resides there, or by certified mail: (a) this Order; and (b) the Petition, Memorandum of Points and Authorities, and accompanying Declaration. Service

may be made by any employee of the IRS or the United States Attorney's Office.

- Within ten (10) days after service upon Respondent as described above, Respondent shall file and serve a written response, supported by appropriate sworn statements, as well as any desired motions. If, prior to the return date of this Order, Respondent files a response with the Court stating that Respondent does not oppose the relief sought in the Petition, nor wish to make an appearance, then the appearance of Respondent at any hearing pursuant to this Order to Show Cause is excused, and Respondent shall comply with the summons within ten (10) days thereafter.
- 4. All motions and issues raised by the pleadings will be considered on the return date Only those issues raised by motion or brought into controversy by the of this Order. responsive pleadings and supported by sworn statements filed within ten (10) days after service of the herein described documents will be considered by the Court. All allegations in the Petition not contested by such responsive pleadings or by sworn statements will be deemed admitted.

Filed this 17th day of March, 2017.

/s/	
HON. FERNANDO M. OLGUIN	
U.S. DISTRICT COURT JUDGE	: