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

<b>MICHAEL SCHULZE,</b>	)	<b>CV F 05 – 0180 AWI GSA</b>
	)	
<b>Plaintiff,</b>	)	
	)	<b>ORDER DIRECTING</b>
<b>v.</b>	)	<b>SERVICE OF DEFENDANTS’</b>
	)	<b>SECOND MOTION FOR</b>
<b>FEDERAL BUREAU OF</b>	)	<b>SUMMARY JUDGMENT</b>
<b>INVESTIGATION, DRUG</b>	)	
<b>ENFORCEMENT ADMINISTRATION,</b>	)	
<b>UNITED STATES MARSHALS</b>	)	
<b>SERVICE and DEPARTMENT OF</b>	)	
<b>JUSTICE,</b>	)	
	)	
<b>Defendants.</b>	)	

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In this action pursuant to the Freedom of Information Act, defendants FBI, et al. (“Defendants”) have filed a second motion for summary judgment pursuant to this court’s memorandum opinion and order filed July 22, 2010, which granted in part and denied in part Defendant’s first motion for summary judgment and granted leave to file a second motion for summary judgment. Defendants’ second motion for summary judgment was filed on September 13, 2010. Plaintiff is an inmate in a federal correctional facility and consequently does not receive service of process through the court’s case management and electronic case filing system (“CM/ECF”). As noted on the receipt that was generated by the CM/ECF system upon filing of Defendant’s second motion for summary judgment, the filing party has the responsibility to serve Plaintiff conventionally at the address indicated. The court has reviewed the docket report for this action and notes the absence of any proof of service by mail or otherwise that would indicate service of Defendants’ second motion for summary

1 judgment on Plaintiff.

2  
3 THEREFORE, it is hereby ORDERED that Defendants shall serve their second  
4 motion for summary judgment, Document # 89, upon Plaintiff by registered mail not later  
5 than five (5) working days from the date of service of this order. Plaintiff shall thereafter file  
6 any response to Defendants' second motion for summary judgment not later than twenty-one  
7 days from the date of service of Defendants' motion or shall show cause by that date for  
8 extension of time to file.

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10 IT IS SO ORDERED.

11 Dated: November 2, 2010

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14 CHIEF UNITED STATES DISTRICT JUDGE  
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