

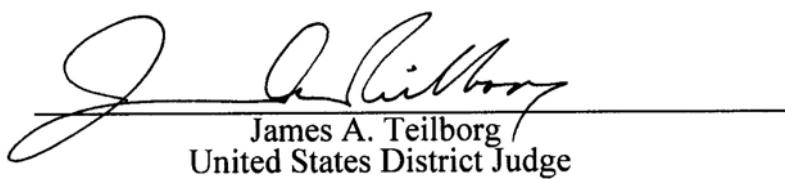
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

17 Plaintiff has attempted to serve subpoenas upon sixteen unincarcerated witnesses to
18 compel their attendance at trial. (Dkt. 87, 88.) If a witness is unwilling to voluntarily testify,
19 the witness must be served with a subpoena, and Plaintiff must pay for the witness's
20 presence. The appropriate daily witness fee is \$40.00, plus the witness's travel expenses. 28
21 U.S.C. § 1821. The United States Marshal will not issue a subpoena (or subpoenas) until a
22 money order is received. To date, Plaintiff has not paid any witness fees, and the Marshal has
23 not served any of the subpoenas. Accordingly,

24 **IT IS HEREBY ORDERED** that if Plaintiff has not tendered, and the Clerk of the
25 Court has not received, the fees described in 28 U.S.C. § 1821 by February 25, 2011, then
26 subpoenas described in Docket 87 and 88 will be quashed.

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1 DATED this 9th day of February, 2011.
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James A. Teilborg
United States District Judge