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 9 Attorneys for Plaintiff
 JOHN H. McKOWN IV

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 11 **UNITED STATES DISTRICT COURT,**
 12 **EASTERN DISTRICT OF CALIFORNIA.**

13 JOHN H. McKOWN IV,
 14 Plaintiff,

Case No.: 1:09-CV-00810-OWW-DLB

ORDER

15 v.

16 UNITED STATES OF AMERICA,
 KENNETH SALAZAR, as Secretary of the
 17 Interior, THOMAS VILSACK, as Secretary
 of Agriculture, HARRY FREY, as Forest
 18 Ranger, SUE PORTER, as Forest Ranger,
 CHERYL BAUER, as Forest Ranger,
 19 KATIE WALSH, as Forest Ranger, JUDY
 SHUTZA, as Forest Ranger, JUDY
 20 SWANSON, as Forest Ranger, MICHAEL
 D. DUNN, as Mineral Examiner, and DOES
 21 1-10, inclusive,

22 Defendants.

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 24 WHEREAS, On reading and filing the affidavit of and it satisfactorily appearing
 25 therefrom that Defendants Harry Frey, Sue Porter, Cheryl Bauer, Katie Walsh, Judy
 26 Shutza, Judy Swanson, and Michael D. Dunn cannot be served with due diligence, and it

1 also appearing by such affidavit on file in this action that said Defendants are necessary
2 or proper parties to this action;

3 THEREFORE, IT IS HEREBY ORDERED, that service of summons in this action
4 be made on Defendants Harry Frey, Sue Porter, Cheryl Bauer, Katie Walsh, Judy Shutza,
5 Judy Swanson, and Michael D. Dunn by publication of service in the Ridgecrest Daily
6 Independent, a newspaper published in the County of Kern, State of California. That
7 newspaper is hereby designated as the newspaper most likely to give notice to said
8 Defendants.

9 IT IS FURTHER ORDERED that a copy of the summons and complaint be
10 deposited in a United States Post Office, directed to the person to be served, at that
11 person's place of residence, if and when such address is ascertained;

12 IT IS FURTHER ORDERED that such service or publication be accomplished by
13 November 30, 2009.

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15 ORDERED AND ENTERED ON 9/11/2009

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18 /s/ OLIVER W. WANGER

19 UNITED STATES DISTRICT JUDGE
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