

1. DIRECTS this Court's clerk to forward to the U.S. Marshal:
 - a. One completed and issued summons for each defendant to be served;
 - b. One completed Form U.S.M.-285 for each defendant to be served;
 - c. One copy of the complaint filed on August 6, 2010, for the defendant to be served, plus an extra copy for the U.S. Marshal;
 - d. One copy of this order for each defendant to be served, plus an extra copy for the U.S. Marshal; and
 - e. One copy of the Court's consent form for each defendant to be served.
2. DIRECTS the U.S. Marshal, within 10 days from this order's date, to notify each defendant, City of Delano, Mark DeRosia, Jose Mejia and Shaun Manuele of the commencement of this action and to request a waiver of service in accordance with Federal Rule of Civil Procedure 4(d) and 28 U.S.C. § 566(c).
3. DIRECTS the U.S. Marshal to file returned waivers of service and a copy of the complaint in its file for future use.
4. DIRECTS the U.S. Marshal that, if a waiver of service is not returned by a defendant within 60 days of the date of mailing the request for waiver, to personally serve process and a copy of this order on defendants pursuant to Federal Rule Civil Procedure 4 and 28 U.S.C. § 566(c);
5. DIRECTS the U.S. Marshal, within 10 days after personal service is accomplished, to file the return of service for each defendant along with evidence of attempts to secure waiver of service of process and costs subsequently incurred to effect service of each defendant. Such costs shall be enumerated on the Form U.S.M.-285 and shall include the costs incurred by the U.S. Marshal to make additional photocopies of the summons and complaint and to prepare new Forms U.S.M.-285, if needed. Costs of service will taxed against the defendant(s), pursuant to Federal Rule of Civil Procedure 4(d)(2).
6. DIRECTS the U.S. Marshal not to serve a defendant if that defendant first appears

1 in this action by filing an answer, dispositive motion or other pleading.

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3 IT IS SO ORDERED.

4 Dated: August 18, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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