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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDALL S. MOYES,

Petitioner,

v.

UNITED STATES,

Respondent.

CASE NO. 1:10-mc-00021-SKO

ORDER SETTING HEARING ON
PLAINTIFF'S PETITION TO QUASH
SUMMONS

On April 23, 2010, Petitioner Randall S. Moyes filed a petition to quash a third party summons issued by the United States Internal Revenue Service. Petitioner did not set a hearing date, and Respondent United States has not responded to the petition.

As such, the Court orders the United States to file a response to Petitioner's petition on or before June 4, 2010. Petitioner may file a reply to the United States' response on or before June 11, 2010. The Court further orders that a hearing in this matter be set for June 18, 2010, at 9:30 a.m. in Courtroom 8 (6th floor) at 2500 Tulare Street, Fresno, California, before the Honorable Sheila K. Oberto. The parties may appear telephonically. If both parties elect to appear telephonically, the parties are jointly responsible for arranging a conference call to the Court for purposes of a telephonic hearing and should direct that call to (559) 499-5790. Further, if the parties wish to conduct a telephonic appearance, they must notify this Court at the number previously listed three (3) days prior to the hearing.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The United States shall file a response to the Petition on or before June 4, 2010.
- 3 2. The Petitioner may, but is not required to, file a reply to the United States'
- 4 response on or before June 11, 2010.
- 5 3. The parties shall appear, personally or telephonically, for a hearing on Petitioner's
- 6 Petition to Quash Third Party Summons on June 18, 2010, at 9:30 a.m. in
- 7 Courtroom 8, before the Honorable Sheila K. Oberto.

8

9 IT IS SO ORDERED.

10 Dated: May 28, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE