

BENJAMIN B. WAGNER
United States Attorney
YOSHINORI H. T. HIMEL #66194
Assistant United States Attorney
United States Courthouse
2500 Tulare Street, Suite 4401
Fresno, California 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Petitioner United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 1:11-cv-00443-LJO-SKO
)	
Petitioner,)	ORDER TO SHOW CAUSE RE:
)	ENFORCEMENT OF INTERNAL
v.)	REVENUE SERVICE SUMMONS
)	
ROCIO STINER,)	Date: Wednesday, May 11, 2011
)	Time: 9:30 a.m.
)	Ctrm: 8 (Honorable Sheila K. Oberto)
Respondent.)	
)	
)	

Upon review of the Verified Petition to Enforce Internal Revenue Service Summons and the Memorandum of Points and Authorities filed in support of the petition by the United States of America and Revenue Officer Michael Papasergia (collectively, "Petitioner"),

IT IS HEREBY ORDERED that Respondent, ROCIO STINER, appear before United States Magistrate Judge Sheila K. Oberto, in Courtroom No. 8, in the United States Courthouse, 2500 Tulare Street, Fresno, California, 93721, on Wednesday, May 11, 2011, at 9:30 a.m. to show cause why she should not be compelled to obey the Internal Revenue Service summons served upon her on July 20, 2010, and attached to the United States' Verified Petition to Enforce Internal Revenue Service Summons.

///

1 IT IS HEREBY FURTHER ORDERED that a copy of this Order to Show Cause, together
2 with one copy each of the Verified Petition to Enforce Internal Revenue Service Summons and the
3 Memorandum of Points and Authorities filed in support of the petition, shall be served upon
4 Respondent on or before March 30, 2011, unless such service cannot be made despite reasonable
5 efforts. If Petitioner is unable to serve Respondent despite making reasonable efforts to do so, the
6 documents may be served by any other means of service permitted by Federal Rules of Civil
7 Procedure 4(e) or Petitioner may request a court order granting leave to serve by other means. See
8 Fed. R. Civ. P. 81(a)(5).

9 IT IS HEREBY FURTHER ORDERED that within 14 days of service of a copy of this Order
10 to Show Cause and accompanying papers, Respondent shall file and serve a written response to the
11 Petition to Enforce Internal Revenue Service Summons, supported by appropriate declaration(s), as
12 well as any motions the Respondents desire to make. The Petitioner may file a reply within 7 days
13 of service of Respondent's written response. All motions and issues raised by the Respondent will
14 be considered by the Court, but any uncontested allegations in the Verified Petition to Enforce
15 Internal Revenue Service Summons will be deemed admitted.

16 IT IS HEREBY FURTHER ORDERED that if the summons is ordered to be enforced, the
17 Court shall retain jurisdiction to enforce its order by its contempt power.

18 IT IS SO ORDERED.

19 **Dated: March 22, 2011**

20 **/s/ Sheila K. Oberto**
UNITED STATES MAGISTRATE JUDGE