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

JOSEPH ROBERT McCLINTIC, an  
individual, by and through his  
Guardian ad Litem, MARLENE  
A. HUBBELL in her capacity as  
co-trustee of the JOSEPH ROBERT  
McCLINTIC LIVING TRUST,

CASE NO. 1:13-cv-439 LJO-GSA

Plaintiffs,

vs.

ORDER APPOINTING GUARDIAN AD  
LITEM FOR JOSEPH McCLINTIC

UNITED STATES POSTAL SERVICE;  
BERTHA CERVANTES, individually and (Doc. 3)  
in her official capacity; and DOES 1  
THROUGH 50, inclusive,

Defendants.

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On March 25, 2013, Plaintiff, filed an Ex Parte Application for Appointment of Guardian ad Litem for Mr. Joseph Robert McClintic (“Mr. McClintic”). (Doc. 3). Mr. McClintic is eighty-four (84) years of age and resides in an assisted living facility. The Court takes judicial notice of the fact that Mr. McClintic is presently subject to a temporary conservatorship pursuant to orders made in the matter of *Conservatorship of the Person and Estate of Joseph Robert McClintic*, Fresno County

1 Superior Court, Case No. 10 CEPR01130.

2 Ms. Hubbell is the natural daughter of Mr. McClintic and has requested that she be appointed  
3 his guardian ad litem in this action. She is currently co-trustee of The Joseph Robert McClintic  
4 Living Trust dated June 4, 2010. She is also an attorney who is admitted and licensed to practice law  
5 in the State of California as well as before this Court.

6 The court has determined that pursuant to Federal Rule of Civil Procedure 17(c), a guardian  
7 ad litem is appropriate. Upon a consideration of the application, the court has determined that the  
8 petition should be granted.

9 IT IS HEREBY ORDERED that Marlene A. Hubbell is appointed as guardian ad litem for  
10 plaintiff Joseph Robert McClintic in this action.

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IT IS SO ORDERED.

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**Dated: April 22, 2013**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE

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