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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

**YVONNE ARCURE, KEVIN COOK, &
JOSEPH FESSENDEN,**

Plaintiffs,

v.

**CALIFORNIA DEPARTMENT OF
DEVELOPMENTAL SERVICES,
DEBORAH MEEKER, JEFFREY
BRADLEY, DOUGLAS LOEHNER,
DAVID CORRAL, & MICHAEL FLORES,**

Defendants.

1:13-cv-00541-LJO-BAM
**ORDER TO SHOW CAUSE TO
PLAINTIFFS RE DEFENDANT SCOTT
GARDNER AND MARK RODRIQUEZ**

TO PLAINTIFFS AND PLAINTIFFS' COUNSEL:

Two originally named defendants, Scott Gardner and Mark Rodriguez, remain on the Court's docket, and no appearances have been made by these individuals. The Third Amended Complaint (Doc. 95) does not name either Scott Gardner or Mark Rodriguez. The Third Amended Complaint, however, contains allegations against Scott Gardner.

On or before January 30, 2015, Plaintiffs shall show cause in writing as to whether Scott Gardner and Mark Rodriguez should be removed from the Court's docket as they are no longer

1 defendants in the Third Amended Complaint. If Plaintiff contends that either Scott Gardner or
2 Mark Rodriguez remain as a defendant, Plaintiff shall show cause in writing why Scott Gardner
3 and/or Mark Rodriguez should not be dismissed for failure to comply with Fed.R.Civ.P. 4(m).
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5 IT IS SO ORDERED.

6 Dated: January 23, 2015

7 /s/ Barbara A. McAuliffe
8 UNITED STATES MAGISTRATE JUDGE
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