

1 the order to show cause on August 1, 2017. On August 8, 2017, the Court ordered Defendant Dr.
2 Akanno to file a response to the complaint within thirty days from the date of service.

3 In his current motion, Plaintiff contends that Dr. Akanno was properly served with the
4 complaint and has had ample time to file a responsive pleading. Plaintiff is correct and the Court has
5 acknowledged that Defendant Dr. Akanno received service of process and signed a waiver of service
6 on May 9, 2017. (ECF No. 24.) However, Ms. Woodridge submitted that she never received a request
7 for representation from CDCR on behalf of Dr. Akanno because he terminated his employment with
8 CDCR on December 12, 2016. (Woodbridge Decl. ¶ 3.) On July 24, 2017, Ms. Woodbridge
9 contacted Dr. Akanno by email and received a request for representation from him on July 26, 2017.
10 (Woodbridge Decl. ¶ 4.) As Plaintiff was previously advised in prior orders, the Office of the
11 Attorney General is requesting that CDCR obtain outside counsel to represent Dr. Akanno in this
12 matter, and a response by Dr. Akanno will be forthcoming. (Woodbridge Decl. ¶¶ 5-6.) Because the
13 record supports the finding that Defendant Dr. Akanno will file a responsive pleading, Plaintiff's
14 motion in opposition to the declaration filed by Ms. Woodbridge is denied.

15
16 IT IS SO ORDERED.

17 Dated: August 10, 2017


UNITED STATES MAGISTRATE JUDGE