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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 PHILLIP J. LONG,

12 Plaintiff,

13 v.

14 CORIZON HEALTH, INC., et al.,

15 Defendants.
16

CASE NO. 1:17-cv-0898-NONE-JLT (PC)

**ORDER GRANTING MOTION TO
AMEND SUBPOENA; AND
ORDER DIRECTING CLERK OF COURT
TO ISSUE AMENDED SUBPOENA
(Doc. 25)**

17 This action proceeds against a single defendant, Jane Doe, on an Eighth Amendment
18 medical indifference claim. Previously, plaintiff's motion for a subpoena directed towards Jane
19 Doe's employer, Corizon Health, Inc., was granted, and service of the subpoena was ordered on
20 December 20, 2019, by the United States Marshal. (Doc. 22.) Service was thereafter effectuated on
21 February 28, 2020. (Doc. 24.) Corizon Health, Inc., has since timely objected to the subpoena on
22 the ground that it is "unintelligible" because it does not provide enough information to identify Jane
23 Doe. (See Doc. 25 at 8-9). Considering that objection, plaintiff submitted a letter with additional
24 information to help with identification. (Doc. 25.)

25 On review, the Court construes plaintiff's letter as a motion to amend the subpoena. Good
26 cause appearing, the Court ORDERS as follows:

- 27 1. Plaintiff's motion to amend (Doc. 25) is **GRANTED**;
28

1 2. The Clerk of Court shall forward the following documents to the United States
2 Marshal (USM):

3 a. One completed and issued amended subpoena duces tecum to be served on:

4 **MATTHEW M. GRIGG**

5 **Law Offices of Matthew M. Grigg**

6 **1700 N. Broadway, Ste. 360**

7 **Walnut Creek, CA 94596**

8 b. One copy of the second amended complaint (Doc. 9);

9 c. One completed USM-285 form; and

10 d. Two copies of this order, one to accompany the amended subpoena and one for
11 the USM;

12 3. In completing the amended subpoena, the Clerk of Court shall list, as described here,
13 the documents requested:

14 Documents identifying the name of Jane Doe, a female nurse who worked at the
15 North Annex Jail in Fresno, California on July 8, 2016. On that date, plaintiff was
16 housed in Bed # 39 in the D Pod on the fourth floor of the North Annex Jail, his
 injury occurred in the gym facility on the fourth floor at approximately 2 p.m., and
 the female nurse would have treated plaintiff between 2 p.m. and 5 p.m.

17 4. Within twenty days from the date of this order, the USM is DIRECTED to serve the
18 subpoena in accordance with the provisions of Rule 45 of the Federal Rules of Civil
19 Procedure;

20 5. The USM shall also serve a copy of the second amended complaint;

21 6. Within ten days after service, the USM shall file the return of service, along with the
22 costs subsequently incurred in effecting service, and said costs shall be enumerated on
23 the USM-285 form; and

24 7. Within thirty days after service, counsel for Corizon Health, Inc. is directed to serve
25 the responsive documents on plaintiff:

26 **Phillip J. Long**

27 **BJ-2973**

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Ironwood State Prison (“ISP-2)

P.O. Box 2199

Blythe, CA 92226-2199

8. Within fourteen days upon receipt of the documents identifying Jane Doe, plaintiff is directed to submit a notice with the Court, upon which he will then be directed to submit documents necessary to effectuate service.

IT IS SO ORDERED.

Dated: **April 15, 2020**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE