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15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA**

17 U.S. EQUAL EMPLOYMENT) Case No.: 1:17-MC-00032 EPG
18 OPPORTUNITY COMMISSION,)
19 Petitioner,) **ORDER TO SHOW CAUSE WHY**
20 v.) **SUBPOENA SHOULD NOT BE**
21 Respondents.) **ENFORCED**

22 Petitioner, the United States Equal Employment Opportunity Commission (the “EEOC”
23 or “Commission”), has filed an Application for an Order to Show Cause as to why its Subpoena
24 *duces tucum* (Subpoena No. Fresno 017-04) served on Respondent Salvador Alcantar III
25 (“Respondent”) should not be enforced. In its Application and supporting documents, EEOC
26 states that on December 9, 2016, during the investigation of a valid charge of race and age
27 discrimination by Micheal W. McLaughlin pursuant to Title VII of the Civil Rights Act of 1964
28 (“Title VII”), as amended, 42 U.S.C. § 2000e *et. seq.* and the Age Discrimination in Employment

1 Act (“ADEA”), 42 U.S.C. § 621 *et. seq.*, EEOC served Subpoena No. Fresno 017-04 on
2 Respondent. Respondent received the Subpoena on December 12, 2016. EEOC further states
3 that Respondent failed to comply with the subpoena or adhere to the administrative process set
4 forth in the federal regulations for revoking or modifying the subpoena.

5 Accordingly, due to the service of the subpoena and Respondent’s failure to comply with
6 the subpoena, it is HEREBY ORDERED:

- 7 1. That Respondent appear on 23rd day of June, 2017, at 10:30 a.m. in Courtroom
8 10, Robert E. Coyle United States Courthouse located at 2500 Tulare Street,
9 Fresno, CA, before Magistrate Judge Erica P. Grosjean, and show cause why
10 Respondent should not be compelled to comply with the Subpoena No. Fresno
11 017-04 issued by EEOC.
- 12 2. That Petitioner serve Respondent with a copy of this Order to Show Cause with
13 the Application, Memorandum of Points and Authorities, and the supporting
14 documents on which this Order is based on or before 2nd day of June, 2017.
- 15 3. That Respondent must file and serve its answer or response to the EEOC’s
16 Application for an Order to Show Cause no later than 16th day of June, 2017.

17 IT IS SO ORDERED.
18

19 Dated: May 17, 2017

20 /s/ *Erica P. Grosjean*
UNITED STATES MAGISTRATE JUDGE