

1 ANNA Y. PARK, CA SBN 164242
2 SUE NOH, CA SBN 192134
3 RUMDUOL VUONG, CA SBN 264392
4 NAKKISA AKHAVAN, CA SBN 286260
5 U.S. EQUAL EMPLOYMENT
6 OPPORTUNITY COMMISSION
7 255 East Temple Street, 4th Floor
8 Los Angeles, CA 90012
9 Telephone: (213) 894-1068
10 Facsimile: (213) 894-1301
11 E-Mail: lado.legal@eoc.gov

12 Attorneys for Petitioner

13 U.S. EQUAL EMPLOYMENT
14 OPPORTUNITY COMMISSION

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

17 U.S. EQUAL EMPLOYMENT
18 OPPORTUNITY COMMISSION,

19 Petitioner,

20 v.

21 SALVADOR ALCANTAR III,

22 Respondents.

Case No.: 1:17-mc-00032 EPG

ORDER TO EXTEND DATES

23 On May 15, 2017, Petitioner United States Equal Employment Opportunity Commission
24 (the "EEOC" or "Commission") filed an Application for an Order to Show Cause as to why its
25 Subpoena *duces tucum* (Subpoena No. Fresno 017-04) served on Respondent Salvador Alcantar
26 III ("Respondent") should not be enforced (Dkt. No. 1). This Court issued an Order to Show
27 Cause on May 18, 2017 (Dkt. No. 2) and set the following dates in this action:

- 28 1. That Respondent appear on 23rd day of June, 2017, at 10:30 a.m. in Courtroom
10, Robert E. Coyle United States Courthouse located at 2500 Tulare Street,

1 Fresno, CA before the Honorable U.S. Magistrate Judge Erica P. Grosjean, and
2 show cause why Respondent should not be compelled to comply with the
3 Subpoena No. Fresno 017-04 issued by EEOC.

- 4 2. That Petitioner serve Respondent with a copy of this Order to Show Cause with
5 the Application, Memorandum of Points and Authorities, and the supporting
6 documents on which this Order is based on or before 2nd day of June, 2017.
7 3. That Respondent must file and serve its answer or response to the EEOC's
8 Application for an Order to Show Cause no later than 16th day of June, 2017.

9 EEOC has diligently attempted to serve Respondent as ordered by this Court but has been
10 unsuccessful. Accordingly, it is **HEREBY ORDERED**:

- 11 1. That Respondent appear on **July 28, 2017**, at **9:15 a.m.** in Courtroom 10, Robert
12 E. Coyle United States Courthouse located at 2500 Tulare Street, Fresno, CA
13 before U.S. Magistrate Judge Erica P. Grosjean, and show cause why Respondent
14 should not be compelled to comply with the Subpoena No. Fresno 017-04 issued
15 by EEOC.
16 2. That Petitioner serve Respondent with a copy of the Order to Show Cause with
17 the Application, Memorandum of Points and Authorities, and the supporting
18 documents, including this Order, on which this Order is based on or before **July**
19 **3, 2017**.
20 3. That Petitioner is allowed to serve Respondent by publication pursuant to
21 California Code of Civil Procedure 415.50. Petitioner will publish the summons
22 in Fresno Bee or a newspaper, published in the State of California, which is most
23 likely to give actual notice to Respondent of service. Petitioner shall forthwith
24 mail Respondent this Order and the supporting documents detailed in (1) above, if
25 his address is ascertained before the expiration of the time prescribed for
26 publication. Petitioner will comply with California Government Code 6064 and
27 effectuate notice by publication once a week for four successive weeks with at
28 least five days intervening between respective publication dates, not counting
such publication dates, ending on a date no later than **July 10, 2017**.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. That Respondent must file and serve its answer or response to the EEOC's Application for an Order to Show Cause no later than **July 17, 2017**.

IT IS SO ORDERED.

Dated: **June 12, 2017**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE