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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EARNEST CASSELL WOODS, II,  
Plaintiff,  
v.  
TOM L. CAREY, et al.,  
Defendants.

No. 2:04-cv-1225 MCE AC P

ORDER

By order filed December 7, 2018, plaintiff’s mother, Mildred McKinney, was ordered to complete and return a Form W-9 so that the interest accrued on the settlement proceeds could be paid. ECF No. 399. However, Ms. McKinney failed to return the form or provide any other response to the court’s order.

The court **cannot** pay Ms. McKinney the interest that has accrued on the settlement proceeds unless she returns a completed Form W-9. Plaintiff previously filed objections in which he argued that his mother should be paid the accrued interest. ECF No. 398. However, the court **cannot** pay her the interest until she returns the Form W-9. The court will therefore provide Ms. McKinney one final opportunity to provide a completed Form W-9. The completed form will **not** be filed on the docket and Ms. McKinney’s personal information will be kept confidential by the court. If Ms. McKinney does not provide a completed Form W-9, the \$5,000.00 settlement proceeds will be sent to her **without** the accrued interest and the interest will eventually be

1 transferred into the unclaimed funds account.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Within thirty days of service of this order, Ms. McKinney must return a completed  
4 Form W-9. Failure to return the form will result in the settlement proceeds being paid without  
5 any accrued interest.

6 2. The completed Form W-9 should be returned to The Chambers of Magistrate Judge  
7 Allison Claire, 501 I St., Room 4-200, Sacramento, CA 95814. The completed form will **not** be  
8 filed on the docket and Ms. McKinney's personal information will be kept confidential by the  
9 court.

10 3. The Clerk of the Court is directed to send Ms. McKinney a copy of this order and a  
11 Form W-9 to complete and return to this court.

12 DATED: February 4, 2019

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14 ALLISON CLAIRE  
15 UNITED STATES MAGISTRATE JUDGE  
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