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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALBERT POON,

Plaintiff,

No. CIV S-07-1123 MCE KJM P

vs.

R. DURFEY,

Defendant.

ORDER

_____ /

On August 19, 2008, plaintiff filed a “motion for the court’s approval to modify the subpoena form for the purpose of authenticating records.” Good cause appearing, plaintiff’s motion is denied. Plaintiff is informed that prior to serving any subpoenas, he should refer to Federal Rule of Civil Procedure 45. To the extent petitioner seeks to avoid paying witness fees, plaintiff is informed that he only need pay witness fees if the subpoena requires attendance of a witness at a particular proceeding. Fed R. Civ. P. 45(b)(1). Plaintiff’s in forma pauperis status

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1 does not absolve him of paying witness fees. See Tedder v. Odel, 890 F.2d 210, 212 (9th Cir.
2 1989).

3 DATED: February 11, 2009.

4 
5 U.S. MAGISTRATE JUDGE

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