

1 Jamil L. White (Bar No. 244028)
 Matthew Mellen (Bar No. 233350)
 2 WHITE | MELLEN
 5600 H Street, Suite 100
 3 Sacramento, CA 95819
 Telephone: (916) 594-7241
 4 Facsimile: (916) 594-7247

5 Attorneys for Plaintiff
 WILLIAM ALLEN SMITH
 6

7
 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**
 10 **SACRAMENTO DIVISION**

11 WILLIAM ALLEN SMITH, an individual,

12 Plaintiff,

13 v.

14 NATIONAL CITY MORTGAGE, a business
 15 entity; UNITED LENDERS GROUP, a business
 16 entity; JEFF MOORE, an individual;
 KONDAUR CAPITAL CORP., a business
 17 entity; and Does 1 through 100, inclusive,

18 Defendants.

Case No.: 2:10-cv-00359-JAM-JFM

**APPLICATION AND ORDER TO
 SERVE THE CALIFORNIA
 SECRETARY OF STATE**

19
 20 Plaintiff hereby requests an order to serve the California Secretary of State on behalf of
 21 Defendant United Lenders Group, a business entity, named in the entitled case.

22 Defendant United Lenders Group, a business entity, was served on John Smoth, as Agent for
 23 Service of Process for Defendant United Lenders Group, by mail at the address registered with the
 24 California Secretary of State on April 20, 2011. Service was returned to our office as
 25 "Undeliverable." First Legal was then hired to attempt personal service on John Smoth. First Legal
 26 attempted to serve Mr. Smoth on May 6, 2011, and was unsuccessful at personally serving him at the
 27 building in which the registered business address is located. The given address is vacant without a
 28 forwarding address. An affidavit of due diligence has been obtained and was mailed to the Court on

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

May 16, 2011. (See Affidavit of Reasonable Diligence on United Lenders Group, attached as Exhibit "A.")

IT IS HEREBY ORDERED that Plaintiff's application is granted.

DATED: May 19, 2011

/s/ John A. Mendez

U.S. DISTRICT COURT JUDGE