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

SEAN P. GJERDE dba LAW
OFFICES OF SEAN P. GJERDE,

Petitioner,

No. 2:10-mc-00068 MCE KJN PS

v.

UNITED STATES OF AMERICA,
et al.,

Respondents.

ORDER

_____ /

Petitioner has filed a petition to quash two Internal Revenue Service Summons pursuant to 26 U.S.C. §§ 7609(b)(2) and 7609(h).¹

Pursuant to Fed. R. Civ. P. 16, IT IS ORDERED that:

1. If service of process has not yet been completed, petitioner shall effect proper service of process upon respondents within 30 days from the date on which this order is

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¹ This case was referred to the undersigned pursuant to Eastern District of California Local Rule 302(c)(10).


1 filed.²

2 2. Petitioner shall serve a copy of this order upon respondents and file a
3 certificate of such service.

4 3. Within 30 days after service of this order upon respondents, respondents shall
5 file and serve an opposition to the petition and/or a motion for summary enforcement. Petitioner
6 shall file and serve a reply within 21 days after the filing of respondents' opposition and/or
7 motion. The matter will stand submitted on the papers, unless any party requests oral argument.

8 4. The Clerk of Court is ordered to REDACT the petitioner's social security
9 number from his filings to date (see Dkt. No. 1 at 7, 12). Petitioner is cautioned against
10 including his social security number on any future filings in this case.

11 DATED: June 28, 2010

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15 KENDALL J. NEWMAN
16 UNITED STATES MAGISTRATE JUDGE
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23 ² Although petitioner filed a proof of service reflecting that he served a copy of the
24 petition to quash by mail on respondent Randall Zielke, Revenue Agent with the Internal
25 Revenue Service ("IRS") and the relevant financial institutions, there is no evidence to indicate
26 that he served the petition on respondent United States in accordance with Federal Rule of Civil
Procedure 4(i). (See also Dkt. No. 1 at 9, ¶ 9.) Further, the petitioner's proof of service does not
reflect that his petition was mailed by certified or registered mail, rather than standard postal
mail, to the IRS or Randall Zielke. (See Dkt. No. 1 at 9, ¶ 10; 26 U.S.C. § 7609(b)(2)(B).)