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

10 BART LYONS,

Plaintiff, No. 2:11-0268 GEB KJN P

VS.

13 FOLSOM MERCY HOSPITAL, et al.,

Defendants. ORDER

On December 15, 2011, the United States Marshal filed a notice that service of process could not be made on defendant Lang, because "defendant named is unknown." (Dkt. No. 35.) As the court previously noted, by order filed December 9, 2011, plaintiff must provide additional information to serve defendant Lang; the information may be sought informally, or through discovery. (Dkt. No. 32.) Plaintiff may also attempt to obtain such information through the California Public Records Act. See Calif. Gov't. Code §§ 6250, et seq. However, because defendants Browning and Lewis have been served process in this action, defense counsel is hereby directed to provide the requisite information to plaintiff, forthwith, if such information is reasonably available from defendants Browning or Lang. If plaintiff's access to the required information is denied or unreasonably delayed, by any reasonable source, plaintiff may request further judicial intervention.

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## Accordingly, IT IS HEREBY ORDERED that:

- 1. Defense counsel shall, within fourteen days, provide plaintiff with the information necessary to serve process on defendant Lang, or serve and file a written statement why such information is unavailable.
  - 2. The Clerk of the Court is directed to send plaintiff one USM-285 form;
- 3. Within twenty-eight days from the date of this order, plaintiff shall complete and submit the attached Notice of Submission of Documents to the court, with the following documents:
  - a. One completed USM-285 form for defendant Lang;
  - b. Two copies of the endorsed amended complaint filed March 8, 2011 (Dkt. No. 10); and

UNITED STATES MAGISTRATE JUDGE

- c. One copy of the summons.
- 4. Alternatively, plaintiff shall, within twenty-eight days from the date of this order, show good cause in writing why he cannot provide the information necessary to serve process on defendant Lang. Failure to obtain such information may result in a recommendation that Lang be dismissed from this action.

DATED: January 5, 2012

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9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	BART LYONS,
11	Plaintiff, No. 2:11-0268 GEB KJN P
12	VS.
13	FOLSOM MERCY HOSPITAL, et al., NOTICE OF SUBMISSION
14	Defendants. OF DOCUMENTS
15	/
16	Plaintiff hereby submits the following documents in compliance with the court's
17	order filed:
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19	completed summons form
20	completed USM-285 form
21	copies of the Amended Complaint
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<ul><li>23</li><li>24</li></ul>	
24 25	Date Plaintiff
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