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6 Attorneys for Defendant

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 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 TOMMIE EWING,
 12 Plaintiff,
 13 v.
 14 JOHN E. POTTER, Postmaster General,
 U.S. Postal Service,
 15 Defendant.
 16

Case No. 2:11-cv-02568 MCE GGH

**NOTICE OF SUBSTITUTION OF
 DEFENDANT AND ORDER**

17 NOTICE IS HEREBY GIVEN that Patrick R. Donahoe was sworn in as Postmaster General
 18 of the U.S. Postal Service on January 14, 2011. Accordingly, pursuant to Fed. R. Civ. P. 25(d)(1),
 19 Patrick R. Donahoe will be substituted as defendant in place of John E. Potter, and all further
 20 proceedings in this action “shall be in the name of the substituted part[ies].”

21 DATED: October 12, 2011

BENJAMIN B. WAGNER
 United States Attorney

By: /s/ Lynn Trinka Ernce
 LYNN TRINKA ERNCE
 Assistant United States Attorney

25 IT IS SO ORDERED.

26 Dated: October 17, 2011

27 
 28 MORRISON C. ENGLAND, JR
 UNITED STATES DISTRICT JUDGE