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

IGNACIO CAMPOS,
RAQUEL CAMPOS,

Plaintiffs,

No. 2:13-cv-494-MCE-EFB PS

vs.

FEDERAL HOME LOAN SERVICES
CORP.; QUALITY HOME LOAN
SERVICES; and DOES 1-100, inclusive,

Defendants.

ORDER

_____ /
This case, in which plaintiffs are proceeding *in propria persona* and *in forma pauperis*, was referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1) and Eastern District of California Local Rule 302(c)(21). On March 25, 2013, the undersigned granted plaintiffs' application to proceed in forma pauperis, directed the clerk to provide plaintiffs with the forms required to effect service on defendants, directed plaintiffs to provide to the U.S. Marshal within fourteen days all information needed to effect service of process and to file a statement with the court within fourteen days thereafter that the documents were submitted, and directed the U.S. Marshal to serve that complaint on defendants and to notify the court of such service within fourteen days thereafter. Dckt. No. 3. Also on March 25, 2013, the court issued an order which, among other things, set a status (pretrial scheduling) conference for July 24, 2013, directed

1 plaintiffs to serve a copy of the order concurrently with service of process, and directed the
2 parties to file status reports within fourteen days of the July 24, 2013 conference, or in this
3 instance, by July 10, 2013. Dckt. No. 5.

4 Despite the instructions in the March 25, 2013 order, the docket does not contain a notice
5 from plaintiffs that they provided the documents for service to the U.S. Marshal or a statement
6 from the U.S. Marshal that process was served.¹ Nonetheless, on June 6, 2013, defendant
7 Quality Home Loan Services filed an executed waiver of service of process, which revealed that
8 a waiver of service was served on that defendant on May 22, 2013 (giving that defendant sixty
9 days from that date to file a response to the complaint). Dckt. No. 11. However, because there
10 is nothing on the docket to reflect service on the other defendant, Federal Home Loan Services
11 Corporation, on July 10, 2013, the undersigned's staff contacted the U.S. Marshal to inquire
12 regarding the status of service of process on that defendant. A representative from the U.S.
13 Marshal's Office indicated that a waiver of service of process was mailed to that defendant on
14 May 22, 2013, but no response to that waiver has been received and no appearance has been
15 made on behalf of that defendant (and no response is due until July 22, 2013).

16 Accordingly, because neither defendant has appeared in this action, IT IS HEREBY
17 ORDERED that:

18 1. The status conference currently scheduled for July 24, 2013, is rescheduled for
19 October 23, 2013, at 10:00 a.m., in Courtroom No. 8.

20 2. On or before October 9, 2013, the parties shall file status reports (or a joint status
21 report) setting forth the matters referenced in the court's March 25, 2013 order.

22 3. The U.S. Marshal is directed to serve a copy of this order on each defendant, and
23 within 14 days thereafter, shall file a statement with the court that the order has been served. As

24 ¹ On July 10, 2013, plaintiffs filed a status report indicating that they provided the service
25 documents to the U.S. Marshal on or about May 3, 2013, and that the U.S. Marshal has served
26 Quality Home Loan Services but has not yet served Federal Home Loan Services Corporation
("Freddie Mac"). Dckt. No. 12 at 1.

1 provided in the March 25, 2013 order, if the U.S. Marshal is unable, for any reason, to effect
2 service of process on defendant Federal Home Loan Services Corporation, or if the Marshal is
3 unable to effect service of this order on either defendant, the Marshal shall promptly report that
4 fact, and the reasons for it, to the undersigned.

5 4. The Clerk of Court shall serve a copy of this order on the United States Marshal, 501
6 "I" Street, Sacramento, CA 95814 (tel. 916-930-2030).

7 SO ORDERED.

8 DATED: July 15, 2013.


9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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