



1 plaintiff opt to keep defendant Armstrong as a named defendant in this action, he will be  
2 obligated to make diligent efforts until the end of the discovery period to locate a current address  
3 for her so that she can be served.

4 In addition, given that defendant El Dorado County was directed to provide the last known  
5 address of defendant Armstrong under seal (see ECF Nos. 60, 62), consistent with that order, the  
6 Clerk of Court will be directed to refile the November 30, 2021, unexecuted summons for  
7 defendant Armstrong (see ECF No. 69) under seal as well.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The Clerk of Court is directed to refile the November 30, 2021, summons returned  
10 unexecuted (see ECF No. 69) under seal, and

11 2. Within fourteen days of the date of this order, plaintiff shall inform the court whether  
12 he wishes: (a) to keep Carol Armstrong as a named defendant in this action until the end of  
13 discovery phase, or (b) to voluntarily dismiss defendant Armstrong.

14 Should plaintiff choose the first option, he is informed that a failure to locate and provide  
15 an accurate service address for defendant Armstrong to the court by the close of discovery will  
16 lead to her dismissal without prejudice from this action.

17 DATED: December 2, 2021

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19 ALLISON CLAIRE  
20 UNITED STATES MAGISTRATE JUDGE  
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