

1 to be considered include the presence or absence of undue delay, bad faith, dilatory motive,
2 repeated failure to cure deficiencies by previous amendments, undue prejudice to the opposing
3 party, and futility of proposed amendment. Here, the court finds that justice does not require
4 leave to amend as plaintiff's claims are essentially the same as before.

5 However, good cause appearing, the court will direct defendants' counsel to take all
6 necessary steps to ascertain Mansour's current address for purpose of service.

7 Additionally, the court will grant nunc pro tunc defendant Adams's motion for an
8 extension of time to answer the FAC. Adams filed an answer on February 9, 2017. (ECF No.
9 20.)

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff's motions filed February 3, 2017 (ECF No. 18) are denied;
- 12 2. Defendant Adams's motion for extension of time (ECF No. 16) is granted nunc pro
13 tunc;
- 14 3. Counsel for defendants shall take all steps necessary to enlist assistance from the
15 CDCR to obtain Dr. Mansour's current or last known address so that the court can direct the U.S.
16 Marshal to serve process without further delay;
- 17 4. The U.S. Marshal shall maintain the confidentiality of all information provided by the
18 CDCR pursuant to this order;
- 19 5. Once the court receives defendant Mansour's address, the court will direct the U.S.
20 Marshal to execute service of process. If counsel for defendants cannot provide this information
21 within thirty (30) days of the date of this order, counsel shall so notify the court; and
- 22 6. The Clerk of Court is directed to forward a copy of this order to the United States
23 Marshal.

24 Dated: February 17, 2017

25 
26 CAROLYN K. DELANEY
27 UNITED STATES MAGISTRATE JUDGE