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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CYPREXX SERVICES, LLC,
Plaintiff,
v.
FIELD ASSET SERVICES, INC., et al.,
Defendants.

No. 2:16-mc-0039-KJM-KJN

ORDER

Plaintiff Cyprexx Services, LLC (“Cyprexx”) commenced this miscellaneous action and filed a motion to quash a subpoena issued by defendants Field Asset Services, Inc. and Field Asset Services, LLC (“FAS”) to Cyprexx as a non-party in a civil action pending in the United States District Court for the Northern District of California, Bowerman, et al. v. Field Asset Services, Inc., et al., Case No. 13-cv-00057-WHO. (ECF Nos. 1, 2.) The subpoena, which was issued from the Northern District of California, requires production of documents in Sacramento, California. (ECF No. 2-2 at 5.) As such, Cyprexx filed a motion to quash in this district, but simultaneously requested that the motion be transferred to the Northern District of California pursuant to Federal Rule of Civil Procedure 45(f). (ECF No. 2.)

Rule 45(f) provides, in part, that “[w]hen the court where compliance is required did not issue the subpoena, it may transfer a motion under this rule to the issuing court if the person

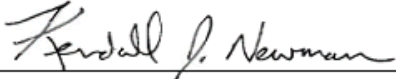
1 subject to the subpoena consents or if the court finds exceptional circumstances.” Fed. R. Civ. P.
2 45(f). Here, Cyprexx, the entity subject to the subpoena, consents to transfer of the motion to the
3 Northern District of California, and in fact affirmatively requests it. (ECF No. 2-6.) As such, the
4 court finds that transfer is appropriate.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Cyprexx’s motion to quash the subpoena issued by FAS is TRANSFERRED to the
7 Northern District of California, where the underlying action, Bowerman, et al. v. Field
8 Asset Services, Inc., et al., Case No. 13-cv-00057-WHO, is pending.
- 9 2. The Clerk of Court shall terminate the pending motion in this court (ECF No. 2) and
10 close this miscellaneous action.

11 IT IS SO ORDERED.

12 Dated: February 29, 2016

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15 KENDALL J. NEWMAN
16 UNITED STATES MAGISTRATE JUDGE
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