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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRUSTEES OF THE NATIONAL
AUTOMATIC SPRINKLER
INDUSTRY WELFARE FUND, ET
AL.,

Plaintiffs,

v.

KIMBERLY HARVEY, ET AL.,

Defendants.

No. 2:16-mc-00075-MCE-AC

ORDER

Plaintiffs are judgment creditors who have registered a foreign judgment in this district and seek to collect. ECF No. 1. They have obtained writs of execution, ECF Nos. 8, 14, and request the special appointment of a registered process server. ECF No. 12 (Amended Request for Appointment to Serve Process).

As authority for their request, plaintiffs cite inter alia to Local Rules 5-3 and 64-2. ECF No. 12 at 1 ¶4, 2 ¶9. This court is governed by the Local Rules of the Eastern District of California, which do not include rules enumerated 5-3 or 64-2.¹ The supporting declaration of


¹ The Local Rules of the Eastern District of California are available at <http://www.caed.uscourts.gov/caednew/assets/File/EDCA%20Local%20Rules%20Effective%201-1-15.pdf>

1 plaintiff's counsel, which recites a factual basis for the request, reports a conversation with a clerk
2 for the U.S. Marshal's Service in another district, about that agency's unavailability to serve
3 levies in the Central District of California. ECF No. 12 at 5. Neither the cited authorities nor the
4 declaration support the special appointment of a process server in this district. Accordingly, the
5 request will be denied without prejudice.

6 Finally, the court notes that the writs at issue do not specify bank accounts or otherwise
7 identify property to be levied. If plaintiffs seek merely to serve the judgment creditors with
8 documents, without the seizure of assets, they do not require court appointment in order to utilize
9 a process server for that purposes.

10 Accordingly, IT IS HEREBY ORDERED THAT Plaintiff's Amended Request for Special
11 Appointment to Serve Process, ECF No. 12, is DENIED without prejudice.

12 DATED: March 8, 2017

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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