

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE MATTER OF:

Joseph Giannini

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**ORDER REJECTING SUBMISSION**

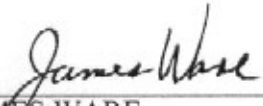
Presently before the Court is a Complaint received by the Northern District of California on January 18, 2011, submitted by Joseph Giannini ("Giannini"). Giannini submits the present putative class action on behalf of his clients, to challenge the constitutionality of the bar admission requirements for the practice of law in the state of California. (Complaint ¶ 1.) On March 3, 1999, Judge Illston ordered Giannini enjoined from:

filing any further actions, either as an attorney or a party, in the United States District Court for the Northern District of California, regarding admission to and the regulation of the practice of law in the State of California without first obtaining leave of the Chief Judge of this court. Paciulan v. M. George, 38 F. Supp. 2d 1128, 1146 (N.D. Cal. 1999). Further, Judge Illston required that any new filings must include a copy of the order issuing the injunction and a declaration stating: (1) that the matters asserted in the filing have not been previously raised by Giannini and dismissed; (2) that the filing does not pertain to matters that are frivolous or made in bad faith; and (3) that Giannini conducted a reasonable investigation of the facts and can attest to their accuracy. Id.

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Upon review, the Court finds that Giannini's submission does not attach either a copy of the pre-filing order or a declaration, as directed. Accordingly, the Court DECLINES to file Giannini's Complaint for failure to comply with the provisions of the pre-filing order. In light of this Order, the Clerk of Court shall refuse the January 18 submission and return any fees tendered in relation to this submission.

Dated: January 24, 2011

  
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JAMES WARE  
United States District Chief Judge

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**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

Joseph Robert Giannini  
925 S. Westgate Ave. #102  
Los Angeles, CA 90049

**Dated: January 24, 2011**

**Richard W. Wieking, Clerk**

By:           /s/ JW Chambers            
Elizabeth Garcia  
Courtroom Deputy