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2 UNITED STATES DISTRICT COURT  
3 Northern District of California  
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5 KALAKE FONUA and KENNETH ASHTON  
6 FONUA,

No. C 09-05983 MEJ

7 Plaintiff(s),

**ORDER FOR PLAINTIFFS TO  
COMPLETE SERVICE OF PROCESS**

8 v.

9 CITY OF SAN MATEO, et al.,

10 Defendant(s).  
11 \_\_\_\_\_/

12 On March 15, 2010, the Court vacated the April 1, 2010 Case Management Conference and  
13 ordered Plaintiffs Kalake Fonua and Kenneth Ashton Fonua to file a status report by April 5, 2010,  
14 addressing what steps they have taken since filing their complaint to ensure that all named  
15 defendants have been served, and whether they intend to proceed with the prosecution of their case.  
16 The Court is now in receipt of the plaintiffs' statement, filed April 5, 2010. (Dkt. #4.) Based on  
17 Plaintiffs' statement, it is not clear that the defendants have been properly served. Specifically,  
18 under Federal Rule of Civil Procedure 4(c)(2), a person who is not a party must serve the summons  
19 and complaint. The proofs of service attached to Plaintiffs' statement are all signed by Plaintiff  
20 Kalake Fonua. Accordingly, there is no indication that the defendants have been properly served.  
21 Thus, the Court hereby ORDERS Plaintiffs to serve the defendants in accordance with Federal Rule  
22 of Civil Procedure 4 and Civil Local Rule 4. Plaintiffs shall complete service of process and file  
23 proofs of service by April 29, 2010. The Court encourages Plaintiffs to review the Pro Se  
24 Handbook, which provides useful information regarding service of process. The handbook may be  
25 obtained at the Clerk's Office or from the Court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

26 **IT IS SO ORDERED.**

27 Dated: April 7, 2010

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Maria-Elena James  
Chief United States Magistrate Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

KALAKE FONUA et al,  
Plaintiff,

Case Number: CV09-05983 MEJ

**CERTIFICATE OF SERVICE**

v.

SAN MATEO CITY OF et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 7, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kalake Fonua  
Kenneth Ashton Fonua  
2555 Illinois Street  
East Palo Alto, CA 94303

Dated: April 7, 2010

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk