

1 **Thomas P. Riley, SBN 194706**  
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**  
3 **First Library Square**  
4 **1114 Fremont Avenue**  
5 **South Pasadena, CA 91030-3227**

6 **Tel: 626-799-9797**  
7 **Fax: 626-799-9795**  
8 **TPRLAW@att.net**

9 **Attorneys for Plaintiff**  
10 **Joe Hand Promotions, Inc.**

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14 **JOE HAND PROMOTIONS, INC.,**

15 **CASE NO. 3:11-cv-05569-SI**

16 **Plaintiff,**

17 **PLAINTIFF'S SECOND *EX PARTE***  
18 **APPLICATION FOR AN ORDER**  
19 **CONTINUING THE INITIAL**  
20 **SCHEDULING CONFERENCE AND**  
21 **EXTENDING TIME TO COMPLETE**  
22 **SERVICE; AND ORDER (~~Proposed~~)**

23 **v.**

24 **AHED A. MAAMO, et al.**

25 **Defendant.**

26 **TO THE HONORABLE SUSAN ILLSTON, THE PARTIES AND THEIR**  
27 **ATTORNEY/S OF RECORD:**

28 As of this date, Plaintiff has been unable to successfully serve its initiating suit papers upon defendant Ahed A. Maamo, individually and d/b/a Mezzas Pizza & Grill.

WHEREFORE, Plaintiff makes the following representations and recommendations:

1. On November 17, 2011, Plaintiff's Complaint was filed against Defendant Ahed A. Maamo, individually and d/b/a Mezzas Pizza & Grill.
2. Plaintiff has *still* not perfected service of the initiating suit papers upon the Defendant, Ahed A. Maamo, individually and d/b/a Mezzas Pizza & Grill, despite diligent efforts to do so. Please see attached hereto and made part hereof Plaintiff's Exhibit 1).
3. Plaintiff Joe Hand Promotions, Inc., hereby applies *ex parte* for an order further

1 continuing the Initial Scheduling Conference presently set for May 4, 2012 at 2:30 PM. As  
2 set forth below, Plaintiff respectfully requests this Honorable Court continue the Status Conference and  
3 extend the time to complete service an additional Thirty (30) days to Forty-Five (45) days.

4  
5 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court continue the Initial  
6 Scheduling Conference, presently scheduled for May 4, 2012 at 2:30 PM and permit Plaintiff an  
7 additional thirty (30) days from today's date to effectuate service of the Summons and Complaint  
8 filed in this matter, or to file a motion for service by publication, or in the alternative, a Notice of  
9 Voluntary Dismissal as to the named defendant.

10  
11  
12 Respectfully submitted,

13  
14  
15 Dated: April 18, 2012

/s/ Thomas P. Riley  
**LAW OFFICES OF THOMAS P. RILEY, P.C.**  
By: Thomas P. Riley  
Attorneys for Plaintiff  
Joe Hand Promotions, Inc.

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# Exhibit 1

THOMAS P. RILEY, ESQ., Bar No.: 194706  
THOMAS P. RILEY, LAW OFFICES OF  
1114 FREMONT AVENUE  
SOUTH PASADENA, CA 91030

(626) 799-9797  
Fax: (626) 799-9795  
tprlaw@attt.com-11

Last day(s) to serve, if any:

ATTORNEY FOR (Name): **PLAINTIFF MEZZAS PIZZA & GRILL 11-20-10 JHP**

Insert name of court, judicial district or branch court, if any:  
**UNITED STATES DISTRICT COURT, NORTHERN DISTRICT  
OAKLAND DIVISION  
1301 CLAY ST., SOUTH TOWER  
OAKLAND, CA 94612-5212**

PLAINTIFF/PETITIONER:

**JOE HAND PROMOTIONS, INC.,**

DEFENDANT/RESPONDENT:

**MAAMO**

\*\*\* STATUS REPORT \*\*\*

HEARING DATE:

TIME:

DEPT/DIV:

CASE NUMBER:

Attr:

**C11-05569**

We received the within process in our Process Department on January 18, 2012. We have attempted to effect service on the following party at the address(es) indicated below.

Server: **AHED A. MAAMO, INDIVIDUALLY AND DBA MEZZAS PIZZA & GRILL**

Residence: **Residence address is unknown.**

Business: **39111 PASEO PADRE PARKWAY, SUITE 301, FREMONT, CA 94538**

Our attempts at service include, but are not limited to, the following dates, times and status detail:

January 23, 2012	02:40 pm	BUSINESS/OFFICE LOCKED. MIGHT BE VACANT.
January 26, 2012	10:16 am	BAD ADDRESS (BUSINESS): 39111 PASEO PADRE PARKWAY, SUITE 301, FREMONT, CA 94538. SPOKE TO ONSITE MANAGEMENT WHO SAID SUBJECT'S COMPANY HAS BEEN OUT OF BUSINESS SINCE NOVEMBER OF 2011.
January 31, 2012	11:40 am	RETURN TO CLIENT.

Date: **January 31, 2012**

If you have any additional information that would help us facilitate this service, please write it on a copy of this report and return it to us on route or fax it to: (213) 481-7343. Thank you.

**Absolute Service of Los Angeles**  
1301 West Second Street, Suite 208, Los Angeles, CA 90026 (213) 481-7334

\*\*\* SERVICE OF PROCESS STATUS REPORT \*\*\*

P29132-1/asetatus

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): <b>THOMAS P. RILEY, ESQ., Bar No.: 194706</b> <b>THOMAS P. RILEY, LAW OFFICES OF</b> <b>1114 FREMONT AVENUE</b> <b>SOUTH PASADENA, CA 91030</b>		TELEPHONE NO.: <b>(626) 799-9797</b>	FOR COURT USE ONLY
		<b>tprlaw@att.net</b>	
ATTORNEY FOR (Name): <b>PLAINTIFF MEZZAS PIZZA &amp; GRILL 11-20-10 JHP</b>		Ref. No. or File No.	
Insert name of court, judicial district or branch court, if any: <b>UNITED STATES DISTRICT COURT, NORTHERN DISTRICT</b> <b>OAKLAND DIVISION</b> <b>1301 CLAY ST., SOUTH TOWER</b> <b>OAKLAND, CA 94612-5212</b>			
PLAINTIFF/PETITIONER: <b>JOE HAND PROMOTIONS, INC.,</b>			
DEFENDANT/RESPONDENT: <b>MAAMO</b>			
<b>NOT FOUND OR NON SERVICE RETURN</b>	DATE:	TIME:	DEPT/DIV:
			CASE NUMBER: <b>C11-05569</b>

I am and was on the dates herein mentioned at least 18 years of age and not a party to this action. I received the within process on February 23, 2012 and that after due search, careful inquiry and diligent attempts, I have been unable to effect service as indicated below. Costs for attempted service are recoverable under CCP §1033.5 (a)(4)(B).

Documents: **SUMMONS & COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE; DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE; PLAINTIFF EX-PARTE APPLICATION FOR AN ORDER CONTINUING THE INITIAL SCHEDULING CONFERENCE AND EXTENDING TIME TO COMPLETE SERVICE; REASSIGNMENT ORDER**

Party Served: **AHED A. MAAMO, INDIVIDUALLY AND DBA MEZZAS PIZZA & GRILL**

Residence: **33508 TRINCULO LANE, FREMONT, CA 94555**

Business: **328 BETTENCOURT, ROSEVILLE, CA 95678**

Process is being returned without service for the following reason(s):

**February 25, 2012 07:23 am NO ANSWER (RESIDENCE). NO VEHICLES.**  
**February 28, 2012 08:35 pm BAD ADDRESS (RESIDENCE): 33508 TRINCULO LANE, FREMONT, CA 94555. SUBJECT IS UNKNOWN PER CURRENT FEMALE OCCUPANT.**  
**March 7, 2012 05:04 pm RETURN TO CLIENT.**

**Person who served papers**

**F. MOORE**  
**ABSOLUTE SERVICE OF LOS ANGELES**  
**1301 WEST SECOND STREET, SUITE 208**  
**LOS ANGELES, CA 90026**  
**(213) 481-7334**

The fee for service was: **\$84.75**

I am: registered California process server.  
independent contractor  
Registration No.: 1015  
County: ALAMEDA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **March 9, 2012**

*F Moore*  
**F. MOORE**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):

THOMAS P. RILEY, ESQ., Bar No.: 194706  
THOMAS P. RILEY, LAW OFFICES OF  
1114 FREMONT AVENUE  
SOUTH PASADENA, CA 91030

TELEPHONE NO.: (626) 799-9797  
Fax: (626) 799-9795  
tprlaw@attusoft-11

Last day(s) to serve, if any:

ATTORNEY FOR (Name):

PLAINTIFF MEZZAS PIZZA & GRILL 11-20-10 JHP

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT  
OAKLAND DIVISION  
1301 CLAY ST., SOUTH TOWER  
OAKLAND, CA 94612-5212

PLAINTIFF/PETITIONER:

JOE HAND PROMOTIONS, INC.,

DEFENDANT/RESPONDENT:

MAAMO

*** STATUS REPORT ***	HEARING DATE:	TIME:	DEPT/DIV:	CASE NUMBER: C11-05569
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Attn:  
We received the within process in our Process Department on March 2, 2012. We have attempted to effect service on the following party at the address(es) indicated below.

Server: AHED A. MAAMO, INDIVIDUALLY AND DBA MEZZAS PIZZA & GRILL  
Residence: 328 BETTENCOURT, ROSEVILLE, CA 95678  
Business: Business address is unknown.

Our attempts at service include, but are not limited to, the following dates, times and status detail:

March 17, 2012 06:35 am	BAD ADDRESS (RESIDENCE): 328 BETTENCOURT, ROSEVILLE, CA 95678. SUBJECT IS UNKNOWN PER PAUL KALRA, CURRENT OCCUPANT OF 8 MONTHS.
March 20, 2012 11:30 am	RETURN TO CLIENT.

Date: March 21, 2012

If you have any additional information that would help us facilitate this service, please write it on a copy of this report and return it to us on route or fax it to: (213) 481-7343. Thank you.

**Absolute Service of Los Angeles**  
1301 West Second Street, Suite 208, Los Angeles, CA 90026 (213) 481-7334

\*\*\* SERVICE OF PROCESS STATUS REPORT \*\*\*

P26132-3/ass/status

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):

TELEPHONE NO.:

THOMAS P. RILEY, ESQ., Bar No.: 194706

(626) 799-9797

THOMAS P. RILEY, LAW OFFICES OF

Fax: (626) 799-9795

1114 FREMONT AVENUE

tprlaw@atttorm-11

SOUTH PASADENA, CA 91030

Ref. No. or File No.

ATTORNEY FOR (Name):

PLAINTIFF MEZZAS PIZZA &amp; GRILL 11-20-10 JHP

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT

OAKLAND DIVISION

1301 CLAY ST., SOUTH TOWER

OAKLAND, CA 94612-5212

PLAINTIFF/PETITIONER:

JOE HAND PROMOTIONS, INC.,

DEFENDANT/RESPONDENT:

MAAMO

*** STATUS REPORT ***	HEARING DATE:	TIME:	DEPT/DIV:	CASE NUMBER:
Attn:				C11-05569

We received the within process in our Process Department on March 26, 2012. We have attempted to effect service on the following party at the address(es) indicated below.

Servee: AHED A. MAAMO, INDIVIDUALLY AND DBA MEZZAS PIZZA & GRILL

Residence: Residence address is unknown.

Business: 34145 FREMONT BLVD, FREMONT, CA 94555

Our attempts at service include, but are not limited to, the following dates, times and status detail:

March 28, 2012	01:20 pm	BUSINESS CLOSED. THIS IS A INDIAN RESTAURANT THAT LOOKS LIKE IT'S BEEN OUT BUSINESS. NO HOURS POSTED.
March 29, 2012	05:26 pm	BUSINESS CLOSED.
March 30, 2012	11:27 am	BAD ADDRESS (BUSINESS): 34145 FREMONT BLVD, FREMONT, CA 94555. RESTAURANT APPEARS TO BE OUT BUSINESS. NO LONGER OPEN.
April 3, 2012	11:30 am	RETURN TO CLIENT.

Date: April 3, 2012

If you have any additional information that would help us facilitate this service, please write it on a copy of this report and return it to us on route or fax it to: (213) 481-7343. Thank you.

### Absolute Service of Los Angeles

1301 West Second Street, Suite 208, Los Angeles, CA 90026 (213) 481-7334

\*\*\* SERVICE OF PROCESS STATUS REPORT \*\*\*

1 **ORDER (Proposed)**

2  
3 It is hereby ordered that the Initial Scheduling Conference in civil action number 3:11-cv-05569-  
4 SI styled *Joe Hand Promotions, Inc. v. Ahed A. Maamo, et al.*, is hereby continued from 2:30 PM, May  
5 4, 2012 to July 26, 2012, at 2:30 p.

6 <sup>m.</sup>  
7 Plaintiff is granted an additional thirty (30) days from today's date to effectuate service of the  
8 Summons and Complaint filed in this matter, or to file a motion for service by publication, or in the  
9 alternative, a Notice of Voluntary Dismissal as to defendant Ahed A. Maamo, individually and d/b/a  
Mezzas Pizza & Grill, where service has not been made or service by publication requested.

10 Plaintiff shall serve a copy of this Order on the Defendant and thereafter file a Certification of  
11 Service of this Order with the Clerk of the Court.

12  
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14 **IT IS SO ORDERED:**

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16 

17 Dated: 4/18/12

18 **THE HONORABLE SUSAN ILLSTON**  
19 **United States District Court**  
20 **Northern District of California**

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1 **PROOF OF SERVICE (SERVICE BY MAIL)**

2  
3 I declare that:

4  
5 I am employed in the County of Los Angeles, California. I am over the age of eighteen years  
6 and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena,  
7 California. I am readily familiar with this law firm's practice for collection and processing of  
8 correspondence/documents for mail in the ordinary course of business.

9  
10 On April 18, 2012, I served:

11 **PLAINTIFF'S SECOND *EX PARTE* APPLICATION FOR AN ORDER**  
12 **CONTINUING THE INITIAL SCHEDULING CONFERENCE AND EXTENDING**  
13 **TIME TO COMPLETE SERVICE; AND ORDER (Proposed)**

14  
15 On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage  
16 prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

17  
18 Ahed A. Maamo (Defendant)  
19 34145 Fremont Blvd.  
20 Fremont, CA 94555

21 I declare under the penalty of perjury pursuant to the laws of the United States that the  
22 foregoing is true and correct, and that this declaration was executed on April 18, 2012, at South  
23 Pasadena, California.

24  
25  
26 Dated: April 18, 2012

27 /s/ Maria Baird  
28 **MARIA BAIRD**