

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

DONNA MCKINZIE,

Petitioner,

v.

DANE STEPHEN FABER,

Respondent.

No. C-11-80303 MMC MISC

**ORDER DIRECTING PETITIONER TO
NOTICE MOTION FOR HEARING AND
SERVE NOTICE AND MOTION ON
RESPONDENT**

Before the Court are petitioner Donna McKinzie's ("McKinzie") "Notice of Motion to Hold Dane Stephen Faber in Contempt of Court for Failure to Comply with June 2009 Restitution Order," Memorandum of Points and Authorities in support thereof, Request for Judicial Notice, and the Declaration of Catosha L. Wood, each filed December 22, 2011.¹

The record does not reflect that McKinzie has served the motion on respondent Dane Stephen Faber, nor has McKinzie noticed the motion for hearing.


Accordingly, McKinzie is hereby DIRECTED to (1) file an amended notice of motion, setting the matter for hearing on the Court's calendar for a date "not less than 35 days after service of the motion," see Civil L.R. 7-2(a), and (2) serve the amended notice and supporting documents on Faber. McKinzie is further DIRECTED to file, no later than

¹The matter was reassigned to the undersigned on January 9, 2012.

1 February 17, 2012, proof of such service; if McKinzie fails to timely file said proof of
2 service, the motion will be denied without prejudice.

3 **IT IS SO ORDERED.**

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5 Dated: January 11, 2012


MAXINE M. CHESNEY
United States District Judge

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