

1 PETER M. MCENTEE, SBN 252075  
 2 BEESON, TAYER & BODINE, APC  
 3 520 Capitol Mall, Suite 300  
 Sacramento, CA 95814-4714  
 Telephone: (916) 325-2100  
 Facsimile: (916) 325-2120  
 4 Email: pmcentee@beesontayer.com

5 Attorneys for Plaintiff  
 6 TEAMSTERS BENEFIT TRUST

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 TEAMSTERS BENEFIT TRUST,  
 11  
 Plaintiff,  
 12  
 v.  
 13 DAVID AND TINA ARMAGOST,  
 14  
 Defendants.

Case No. CV-12-2587 MEJ

**AMENDED [PROPOSED] ORDER FOR  
 PUBLICATION OF SUMMONS AND  
 COMPLAINT [WITHOUT  
 ATTACHMENTS] - [ADDING TWO  
 PUBLICATIONS]**

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 16 This Court has read and considered the application of Plaintiff Teamsters Benefit Trust for an  
 17 order directing service of the summons on defendants David and Tina Armagost by publication, and  
 18 the evidence presented in support of this application, and it appears to the satisfaction of the court  
 19 that defendants David and Tina Armagost cannot be served with reasonable diligence in any other  
 20 manner set forth in Code of Civil Procedure section 415.10 through 415.30. The Court also finds that  
 21 plaintiff has stated facts sufficient to constitute a cause of action against defendants David and Tina  
 22 Armagost.

23 **THEREFORE, IT IS ORDERED** that:

24 Service of the summons in this action on defendants David and Tina Armagost shall be  
 25 accomplished by publication in the Oakland Tribune, The Hayward Daily Review and the Tri-Valley  
 26 Herald, newspapers published in the State of California, which circulate in the areas of the last known  
 27 addresses of Defendants and designated as the newspapers most likely to give actual notice to the  
 28 defendants.

1 The publication shall be made once a week for four weeks, or any longer period as required  
2 by the Court.

3 If defendant's addresse(s) are ascertained prior to the expiration of the time prescribed for  
4 publication of the summons, a copy of the summons, complaint, related court orders and a copy of  
5 the order for publication shall immediately be mailed to defendants.

6 This order does not preclude service upon defendants David and Tina Armagost in any other  
7 manner specified in Code of Civil Procedure sections 415.10 through 415.30, which service  
8 supersedes the service by publication.

9 IT IS SO ORDERED:

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11 DATED October 3, 2012

12 BY:   
THE HONORABLE MARIA-ELENA JAMES  
13 U.S. Magistrate Judge  
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