

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DANIEL FISHER,

No. C 12-03716 WHA (LB)

Plaintiff(s),

ORDER REGARDING CHECK

v.

BIOZONE PHARMACEUTICALS, INC.,
ET AL.,

Defendant(s).

_____ /

The parties recently notified the court that they wanted the court to hold for safekeeping a check made out directly to Mr. Fisher. To do that, the court needs to issue an order directing the clerk of the court to retain the check in the court's vault until further order of the court. To make sure that everyone agrees with the process, they should file a stipulation setting forth the process they contemplate. Probably it is better that the check be returned to Defendants rather than having the clerk's office destroy it. If that is the case, then the check can be delivered here with an addressed, pre-paid Express Mail envelope for the return of the check. Again, the process should be set forth fully in the parties' stipulation.

The stipulation should contain a proposed order with language to the effect of, "pursuant to the parties' stipulation, the court directs the Clerk of the Court to hold the check dated ___ from ___ in the amount of \$___ made out to ___ and the accompanying addressed, pre-paid Federal Express

ORDER RE CHECK
C 12-03716 WHA (LB)

1 Overnight envelope in the Clerk's vault pending further order of the court authorizing release of the
2 check to ____ via overnight delivery."

3 Then, when the parties are ready to have the check sent back to Defendants, they should submit a
4 similar stipulated order to the effect of, "pursuant to the parties' request, the clerk of the court shall
5 release the \$___ check made out to _____ that previously was deposited with the court by sending it
6 by overnight delivery to _____. A self-addressed, paid Federal Express Overnight envelope was
7 provided previously for this purpose."

8 **IT IS SO ORDERED.**

9 Dated: May 13, 2013



LAUREL BEELER
United States Magistrate Judge

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