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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 JOHN SHEK,

11 Plaintiff,

No. C 12-04517 WHA

12 v.

13 CHILDREN HOSPITAL RESEARCH  
14 CENTER OF OAKLAND, et al.,

15 Defendants.  
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**ORDER QUASHING SERVICE  
OF SUMMONS AND COMPLAINT  
ON JOSEPH L. ROBINSON**

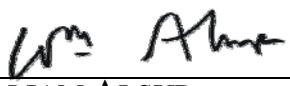
17 Mr. Joseph L. Robinson, who lives in Richmond on South 47th Street, was notified by  
18 plaintiff John Shek to appear in court today. Mr. Robinson did so; however, no one else  
19 appeared, including plaintiff Shek. Mr. Robinson stated under oath that he is not the “Joseph  
20 Robinson” named in plaintiff’s complaint. To get to the bottom of it, the Court took sworn live  
21 testimony from Mr. Robinson. The sworn record demonstrates, and the Court so finds, that  
22 Mr. Robinson is the wrong person and that plaintiff Shek and/or his process server knew he was  
23 serving the wrong person when process was served on Mr. Robinson. This inconvenience has  
24 subjected Mr. Robinson to undue expense and stress. The summons on him is **QUASHED** in its  
25 entirety.

26 Plaintiff John Shek and his process server, Judith Shek, are hereby **ORDERED TO APPEAR**  
27 at the conference management conference scheduled for **DECEMBER 13, 2012**. Plaintiff is  
28 advised to obtain a copy of today’s transcript, at his own expense, to read it and then to justify

1 his actions. He must be prepared to explain himself on pain of sanction, including dismissal of  
2 this case. Plaintiff Shek is **FURTHER ORDERED** to notify all others he has told of the wrongly  
3 named defendant, so that he will no longer tarnish Mr. Robinson's reputation.

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5 **IT IS SO ORDERED.**

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7 Dated: December 6, 2012.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE