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**UNITED STATES DISTRICT COURT**  
**Northern District of California**

Public.Resource.org,

Plaintiff(s),

v.

United States Internal Revenue Service,

Defendant(s).

13-02789 WHO

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

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**Notice Re: Noncompliance With Court Order**  
13-02789 WHO

-1-

1 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
2 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

3  
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
5 required, to occur before the Case Management Conference.

6  
7  
8 Dated: October 30, 2013

RICHARD W. WIEKING  
Clerk  
by: Timothy J. Smagacz



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ADR Program Administrator  
415-522-4205  
Tim\_Smagacz@cand.uscourts.gov

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## **PROOF OF SERVICE**

Case Name: Public.Resource.org v. United States Internal Revenue Service

Case Number: 13-02789 WHO

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On October 30, 2013, I served a true and correct copy of:

### **Notice Re: Noncompliance With Court Order**

electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Thomas R. Burke  
Davis Wright Tremaine LLP  
505 Montgomery Street, Suite 800  
San Francisco, CA 94111-6533  
thomasburke@dwt.com

David E Halperin  
c/o CSRL 1530 P Street NW  
Washington, DC 20005  
davidhalperindc@gmail.com

Ronald G. London  
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1919 Pennsylvania Avenue, NW  
Suite 800  
Washington, DC 20006-3401  
ronnielondon@dwt.com

Christopher Sanders  
United States Department of Justice  
P.O. Box 227  
Tax Division  
Washington, DC 20044

christopher.w.sanders@usdoj.gov

Yonatan Gelblum  
U.S. Department of Justice  
PO Box 227  
Tax Division  
Washington, DC 20044  
yonatan.gelblum@usdoj.gov

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 30, 2013 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



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ADR Program Administrator

415-522-4205

Tim\_Smagacz@cand.uscourts.gov