

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CV 13-3614 WHA
)	
Petitioner,)	
)	
v.)	[Proposed]
)	<u>ORDER ENFORCING SUMMONS</u>
RAMIRO FAZ,)	
)	
Respondent.)	

This case having come on for hearing on September 26, 2013, at 8:00 a.m., upon the return of an Order to Show Cause heretofore issued by this Court, and the Court having considered the record herein, including the Verified Petition To Enforce Internal Revenue Service Summons, it is hereby:

ORDERED that Respondent appear before Revenue Officer Michael F. Nicholas, or any other designated agent, at 9:00 a.m., November 20, 2013, at the Offices of the Internal Revenue Service located at 55 South Market Street, San Jose, California, 95113-2324, and then and there give testimony relating to the matters described in the subject Internal Revenue Service summons, a copy of which is attached hereto as **Exhibit A** and produce for the Revenue Officer's inspection and copying the records described in the attached subject Internal Revenue Service summons.

1 Failure to comply with this order may be grounds for a finding of contempt. See,
2 e.g., United States v. Ayres, 166 F.3d 991, 994-96 (9th Cir. 1999) (affirming finding of
3 contempt, where party failed to comply with court order directing him to provide
4 testimony and produce records to IRS).

5 Petitioners are directed to serve a copy of this **ORDER** and **Exhibit A** on
6 respondent in accordance with Fed. R. Civ. P. 4.

7 **ORDERED** this 26 day of September, at San Francisco, California.

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10 UNITED STATES DISTRICT JUDGE
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Summons

Income Tax Return

In the matter of RAMIRO FAZ, 851 LAWRENCE DR, GILROY, CA 95020-3302
 Internal Revenue Service (Identify Division) SMALL BUSINESS/SELF EMPLOYED
 Industry/Area (Identify by number or name) SB/SE AREA 7 (27)
 Periods: Form 1040 for the calendar period ending December 31, 2007, December 31, 2008, December 31, 2009, December 31, 2010, December 31, 2011

The Commissioner of Internal Revenue

To: RAMIRO FAZ
 At: 851 LAWRENCE DR, GILROY, CA 95020-3302

You are hereby summoned and required to appear before MICHAEL F NICHOLAS, an Internal Revenue Service (IRS) officer, to give testimony and to bring for examination the following information related to the tax liability of the person identified above for the periods shown:

All documents and records you possess or control about income you received for the years: 2007, 2008, 2009, 2010, 2011

These records and documents include, but are not limited to: Forms W-2 (Wage and Tax Statement), Forms 1099 for interest and dividend income, employee earnings statements, and records of deposit with banks or other financial institutions.

Also include all other books, records, documents and receipts for income from, but not limited to, the following sources: wages, salaries, tips, fees, commissions, interest, rents, royalties, alimony, state or local tax refunds, annuities, life insurance policies, endowment contracts, pensions, estates, trusts, discharge of indebtedness, distributive shares of partnership income, business income, gains from dealings in property, and any other compensation for services (including receipt of property other than money). Include all documents and records about any income you assigned to any other Person or entity.

IRS will use this information to prepare a federal income tax return for the following year(s) when you didn't file a return: 2007, 2008, 2009, 2010, 2011

We have attached a blank return to guide you in producing the necessary documents and records.

Do not write in this space

Business address and telephone number of IRS officer before whom you are to appear:

55 SOUTH MARKET STREET, SAN JOSE, CA 95113-2324 (408) 817-6425

Place and time for appearance: At 55 SOUTH MARKET STREET, SAN JOSE, CA 95113-2324



IRS

Department of the Treasury
Internal Revenue Service

www.irs.gov

Form 6638 (Rev.10-2010)
Catalog Number 61828W

on the 31st day of October, 2012 at 8:00 o'clock a m.

Issued under authority of the Internal Revenue Code this 3rd day of October, 2012

MICHAEL F NICHOLAS

Signature of Issuing officer

REVENUE OFFICER

Title

Revenue officer

Title

Signature of approving officer (if applicable)

Original -- to be kept by IRS

EXHIBIT A