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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WANXIA LIAO,

Plaintiff,

v.

JOHN ASHCROFT, et al.,

Defendants.

No. C 08-2776 PJH

**ORDER RE E-FILING REQUIREMENTS;
ORDER RE SERVICE OF SUMMONS
AND COMPLAINT**

_____ /
This action was reassigned to the undersigned district judge on February 5, 2009. The court has reviewed the docket, and notes that plaintiff previously requested, and obtained leave, to participate in the court Electronic Case Filing ("ECF") program.

It is the practice of the undersigned to permit a pro se plaintiff to participate in the ECF program only if the plaintiff files a declaration stating that he or she has read General Order No. 45 and the Northern District of California's instructions regarding ECF registration and use found on the court's website at <http://ecf.cand.uscourts.gov>; that he/she understands the requirements of the ECF program, and that he/she agrees to comply with all the rules and orders of the court, subject to termination of his/her participation for failing to comply with said rules and orders.

In order to continue as a participant in the ECF program, plaintiff must file a declaration that comports with the above requirements. If no declaration is filed by March 2, 2009, the court will rescind the order allowing plaintiff to participate in the ECF program.

In addition, plaintiff was advised on December 22, 2009, that she had failed to file a

1 proof of service of the summons and complaint on any of the 21 named defendants.¹ She
2 was given until January 10, 2009, to file a proof of service or a waiver of service for each
3 defendant who had not filed an appearance as of that date. The court further indicated that
4 after that date, those defendants for whom plaintiff had not filed a proof of service or
5 waiver, and who had not appeared, would be dismissed without prejudice, unless plaintiff
6 established good cause why she should be given an extension of time for service, under
7 Federal Rule of Civil Procedure 4(m).

8 To date, only one defendant (CNN) has appeared, and plaintiff has failed to file a
9 proof of service of the summons and complaint, in accordance with the service
10 requirements of Federal Rule of Civil Procedure 4 (which also incorporates state rules of
11 service), on the remaining defendants. Nor has plaintiff made any showing of good cause
12 for an extension of time for service.

13 No later than March 2, 2009, plaintiff must file either a proof of service showing
14 proper service, or, where applicable, a waiver of service, for each defendant other than
15 defendant CNN. Failure to comply with this requirement will result in dismissal of any
16 defendant for whom plaintiff has not filed a proof of service or completed waiver of service.

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18 **IT IS SO ORDERED.**

19 Dated: February 10, 2009



20 _____
21 PHYLLIS J. HAMILTON
22 United States District Judge

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¹ Plaintiff filed an amended complaint on December 22, 2008, adding a twenty-second defendant.