

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

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**MALAKA SANDERS,**  
Plaintiff,  
  
vs.  
  
**DEPARTMENT OF FAIR EMPLOYMENT AND  
HOUSING**  
  
Defendant.

CASE NO. 4:21-cv-07740-YGR  
  
**ORDER RE: SECOND MOTION FOR ENTRY  
OF DEFAULT**  
  
Dkt. No. 10

United States District Court  
Northern District of California

The Court has reviewed plaintiff’s second request for entry of default. (Dkt. No. 10.) This request is denied consistent with her first request. (Dkt. Nos. 8, 9.) The Court provides further guidance below.

Federal Rule of Civil Procedure 4(j)(2) requires that a plaintiff comply with state law when serving a state entity. Here, California law states that “[a] summons may be served on a public entity by delivering a copy of the summons and of the complaint to the clerk, secretary, president, presiding officer, or other head of its governing body.” Cal. Code Civ. Proc. § 416.50(a).

Plaintiff has not served the California Department of Fair Employment and Housing consistent with California Code of Civil Procedure section 416.50(a). California law does not provide that service on the California Attorney General satisfies plaintiff’s obligation, rather it must be served on the Department’s “clerk, secretary, president, presiding officer, or other head of its governing body.” *Id.*

However, plaintiff should be aware that it is not clear that the Court can order the relief that plaintiff seeks in any event. Plaintiff may want to consider contacting the Legal Help Center. Parties can make an appointment to speak with an attorney who can provide basic legal information and assistance. The Help Center does not see people on a “drop-in” basis, and will not be able to represent parties in their cases. There is no charge for this service. To make an appointment with the Legal Help Center, you may: (1) sign up in person on the appointment book outside the Legal Help Center offices at the San Francisco Courthouse (15th Floor, Room 2796) or

1 Oakland Courthouse (Room 470S); (2) call 415-782-8982; or (3) email [fedpro@sfbar.org](mailto:fedpro@sfbar.org). The  
2 Help Center's website is available at <https://cand.uscourts.gov/legal-help>.

3 The District Court has produced a guide for self-represented/pro se litigants called  
4 Representing Yourself in Federal Court: A Handbook for Pro Se Litigants, which provides  
5 instructions on how to proceed at every stage of a case, including discovery, motions, and trial. It  
6 is available electronically online ([https://cand.uscourts.gov/wp-](https://cand.uscourts.gov/wp-content/uploads/2020/02/Pro_Se_Handbook_2020_links_8-2021.pdf)  
7 [content/uploads/2020/02/Pro\\_Se\\_Handbook\\_2020\\_links\\_8-2021.pdf](https://cand.uscourts.gov/wp-content/uploads/2020/02/Pro_Se_Handbook_2020_links_8-2021.pdf)) or in hard copy, free of  
8 charge, from the Clerk's Office.

9 This Order terminates Docket Number 10.

10 **IT IS SO ORDERED.**

11 Dated: November 19, 2021

  
12 YVONNE GONZALEZ ROGERS  
13 UNITED STATES DISTRICT COURT JUDGE  
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