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2 **E-Filed 6/8/10**
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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**
11

12 CHIN-LI MOU,

13 Plaintiff,

14 v.

15 CITY OF SAN JOSE, et al.,

16 Defendants.
17

Case Number C 07-5740 JF (RS)

**ORDER¹ REQUESTING DEBTOR'S
EXAMINATION**

18 On September 29, 2009, the Court granted Defendants' motion for summary judgment.
19 On October 22, 2009, the Clerk of the Court taxed costs in the amount of \$1,029.90. On April
20 13, 2010, the Court overruled Plaintiff's objections to the bill of costs.

21 On April 19, 2010, Plaintiff, proceeding *pro se* as she has since summary judgment was
22 granted, sent the Court a copy of her 2009 federal income tax return to support her argument that
23 she is unable to pay the \$1,029.90 in costs incurred in this matter. In an order dated April 26,
24 2010, the Court indicated that in light of Plaintiffs' *pro se* status, the Court would treat Plaintiff's
25 April 19 communication as a motion for reconsideration and requested response from
26 Defendants. Defendants contend that they have not had an opportunity to review Plaintiff's
27

28 ¹ This disposition is not designated for publication in the official reports.

1 income tax return and that public records indicate that Plaintiff is the owner of real property in
2 the County of Santa Clara valued at approximately \$250,000, and they request a debtor's
3 examination of Plaintiff under oath.

4 Finding that the facts in the record are insufficient to allow it to decide the issue of
5 Plaintiff's ability to pay her costs, the Court will order Plaintiff to undergo a debtor's
6 examination. The Court will defer its decision on Plaintiff's motion for reconsideration pending
7 the outcome of the examination.

8
9 IT IS SO ORDERED.

10
11 DATED: 6/8/10

12 
13 JEREMY FOGEL
14 United States District Judge

1 This Order has been served upon the following person:

2 Ms. Chin-Li Mou
3 4141 Boneso Circle
4 San Jose, CA 95134

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