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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

HRL

11 UNITED STATES OF AMERICA and
12 EMMANUEL E. OROSA, Revenue Officer,

CV

No. 11

1658

13 Plaintiffs,

14 v.

15 MICHAEL CANUL,

16 Defendant.

~~Proposed~~

ORDER TO SHOW CAUSE RE
ENFORCEMENT OF INTERNAL
REVENUE SERVICE SUMMONS

18 Good cause having been shown by the petitioner upon its petition filed in the above-
19 entitled proceeding on April 6, 2011, it is hereby:


20 **ORDERED** that respondent MICHAEL CANUL appear before this Court on the
21 28th day of June, 2011, at 10 a.m., in Courtroom No. 2, 5th Floor, United
22 States District Court, 280 South 1st Street, San Jose, California, and then and there show
23 cause, if any, why respondent should not be compelled to appear and provide documents
24 and testimony as required by the summons heretofore served upon respondent as alleged
25 and set forth in particular in said petition; and it is further

26 **ORDERED** that a copy of this Order to Show Cause, together with a copy of the
27 aforesaid petition, be served upon said respondent in accordance with Rule 4 of the
28 Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of

1 this Order above specified; and it is further

2 **ORDERED** that within twenty-one (21) days before the return date of this Order,
3 respondent may file and serve a written response to the petition, supported by appropriate
4 affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any
5 motion respondent desires to make, that the petitioner may file and serve a written reply
6 to such response, if any, within fourteen (14) days before the return date of this Order;
7 that all motions and issues raised by the pleadings will be considered on the return date of
8 this Order, and only those issues raised by motion or brought into controversy by the
9 responsive pleadings and supported by affidavit(s) or declaration(s) will be considered at
10 the return of this Order, and any uncontested allegation in the petition will be considered
11 admitted.

12 **ORDERED** this 18th day of April, 2011, at San Jose, California.

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15 UNITED STATES MAGISTRATE JUDGE
16 HOWARD R. LLOYD
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