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MELINDA HAAG (CSBN.132612) 1 United States Attorney THOMAS MOORE (ALBN. 4305-078T) 2 Assistant United States Attorney Chief, Tax Division 3 9th Floor Federal Building 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-7017 5 Attorneys for United States of America 6 UNITED STATES DISTRICT COURT 7 NORTHERN DISTRICT OF CALIFORNIA 8 SAN JOSE DIVISION 9 DARRYL SHIOZAWA, Case No. C-12-01028-PSG 10 Petitioner, 11 CONSENT TO PROCEED BEFORE MAGISTRATE JUDGE, STIPULATION TO DISMISS, AND 12 ٧. [proposed] ORDER THEREON UNITED STATES OF AMERICA, 13 Respondent. 14 15 For the reasons that there is no longer a case or controversy with respect to this matter because 16 the Internal Revenue Service withdrew the summons which it issued on February 8, 2012 to Wells 17 Fargo Bank (see Exhibit 1 attached to Petition to Quash), which is at issue in this case, and because the 18 petitioner did not serve the United States Attorney or the Attorney General of the United States at 19 Washington D.C. as required by Rule 4 of the Federal Rules of Civil Procedure: 20 It is hereby stipulated by and between Petitioner, Darryl Shiozawa, and respondent, United 21 States of America, through the undersigned, as follows: 22 The petitioner, Darryl Shizawa, and respondent, United States of America, in 1. 23 accordance with the provisions of Title 28, U.S.C. Section 636(c), hereby voluntarily consent to have a 24 United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and 25 order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United 26 States Court of Appeals for the Ninth Circuit. 27

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1	2. That this matter be dismissed with prejudice, each party to bear its own costs and	
2	attorney's fees.	
3		MELINDA HAAG United States Attorney
5	DARRYI CHIOZAWA	THOMASMOODE
6	DARRYL SHIOZAWA Petitioner 8-16-17	THOMAS MOORE Assistant United States Attorney Tax Division
7	8-10	Attorneys for Respondent
8		Attorneys for Respondent
9	PURSUANT TO STIPULATION, IT IS SO ORDERED.	
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11	Dated: August 22, 2012	QAS ALA
12		UNITED STATES MAGISTRATE JUDGE
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