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

10	DARRYL SHIOZAWA,	)	Case No. C-12-01028-PSG
11	Petitioner,	)	
12	v.	)	CONSENT TO PROCEED BEFORE MAGISTRATE
13	UNITED STATES OF AMERICA,	)	JUDGE, STIPULATION TO DISMISS, AND
14	Respondent.	)	<del>proposed</del> ORDER THEREON

15  
 16 For the reasons that there is no longer a case or controversy with respect to this matter because  
 17 the Internal Revenue Service withdrew the summons which it issued on February 8, 2012 to Wells  
 18 Fargo Bank (see Exhibit 1 attached to Petition to Quash), which is at issue in this case, and because the  
 19 petitioner did not serve the United States Attorney or the Attorney General of the United States at  
 20 Washington D.C. as required by Rule 4 of the Federal Rules of Civil Procedure:

21 It is hereby stipulated by and between Petitioner, Darryl Shiozawa, and respondent, United  
 22 States of America, through the undersigned, as follows:

23 1. The petitioner, Darryl Shizawa, and respondent, United States of America, in  
 24 accordance with the provisions of Title 28, U.S.C. Section 636(c), hereby voluntarily consent to have a  
 25 United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and  
 26 order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United  
 27 States Court of Appeals for the Ninth Circuit.

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