

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E-FILED: February 20, 2013

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HILDA L. SOLIS,
Secretary of Labor,
United States Department of Labor

No. C13-00325 HRL

**ORDER TO SHOW CAUSE RE:
ENFORCEMENT OF
ADMINISTRATIVE SUBPOENA**

Petitioner,

v.

GARDEN CITY, INC., dba CASINO
M8TRIX, a corporation,

Respondent.

Good cause having been shown by the petitioners upon the petition filed in the above-entitled proceeding on January 23, 2013, IT IS ORDERED that:

1. Respondent Garden City, Inc., dba Casino M8trix shall appear before this court on **April 23, 2013 at 10:00 a.m.** in Courtroom No. 2, Fifth Floor, United States District Court, 280 South First Street, San Jose, California, and then and there show cause, if any, why respondent should not be compelled to appear and provide documents and testimony as required by the subpoena *duces tecum* served upon respondent as alleged and set forth in the petition.
2. Petitioners shall serve a copy of this Order to Show Cause, together with a copy of the petition, upon respondent in accordance with Rule 4 of the Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this order specified above.

United States District Court
For the Northern District of California

1 3. On or before **April 2, 2013**, respondent may file and serve a written response to the
2 petition, supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C.
3 § 1746, as well as any motion respondent desires to make.

4 4. On or before **April 9, 2013**, petitioners may file and serve a written reply to such
5 response, if any.

6 5. All motions and issues raised by the pleadings will be considered on the return date
7 of this order, and only those issues raised by motion or brought into controversy by the responsive
8 pleadings and supported by affidavit(s) or declaration(s) will be considered at the return of this
9 order. Any uncontested allegation in the pleading will be considered admitted.

10 6. The parties are reminded that this civil case has been randomly assigned to a
11 magistrate judge for all purposes including trial. Accordingly, the parties shall, **no later than**
12 **April 16, 2013**, file either (1) a Consent to Proceed before a United States Magistrate Judge or (2)
13 a Declination to Proceed before a Magistrate Judge and Request for Reassignment to a United States
14 District Judge. *See* N.D. Cal. Civ. R. 73-1. The consent and declination forms are available at the
15 Clerk's Office and may also be obtained from the court's website at <http://www.cand.uscourts.gov>.

16 Dated: February 20, 2013

17
18
19
20
21 
22 _____
23 HOWARD R. LLOYD
24 UNITED STATES MAGISTRATE JUDGE
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

C13-00325 HRL Order will be electronically mailed to:
Benjamin Richard Botts botts.benjamin.r@dol.gov
Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.