

E-FILED: June 25, 2013

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5 NOT FOR CITATION
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

9 UNITED STATES OF AMERICA,

No. C13-01234 HRL

10 Petitioner,

**ORDER TO SHOW CAUSE RE:
ENFORCEMENT OF INTERNAL
REVENUE SERVICE SUMMONS**

11 v.

12 LINDA I. SCHAEFER,

13 Respondent.
_____/

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15 Good cause having been shown by the petitioner upon the petition filed in the above-
16 entitled proceeding on March 19, 2013, IT IS ORDERED that:

17 1. Respondent Linda I. Schaefer shall appear before this court on **August 27, 2013 at**
18 **10:00 a.m.** in Courtroom No. 2, Fifth Floor, United States District Court, 280 South First Street,
19 San Jose, California, and then and there show cause, if any, why respondent should not be
20 compelled to appear and provide documents and testimony as required by the Internal Revenue
21 Summons served upon respondent as alleged and set forth in the petition.

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23 2. Petitioner shall serve a copy of this Order to Show Cause, together with a copy of
24 the petition, upon respondent in accordance with Rule 4 of the Federal Rules of Civil Procedure
25 at least thirty-five (35) days before the return date of this order specified above.
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3. On or before **August 6, 2013**, respondent may file and serve a written response to the petition, supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion respondent desires to make.

4. On or before **August 13, 2013**, petitioners may file and serve a written reply to such response, if any.

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

6. The parties are reminded that this civil case has been randomly assigned to a magistrate judge for all purposes including trial. Accordingly, the parties shall, **no later than August 20, 2013**, file either (1) a Consent to Proceed before a United States Magistrate Judge or (2) a Declination to Proceed before a Magistrate Judge and Request for Reassignment to a United States District Judge. See N.D. Cal. Civ. R. 73-1. The consent and declination forms are available at the Clerk’s Office and may also be obtained from the court’s website at <http://www.cand.uscourts.gov>.

7. The Initial Case Management Conference, initially set for July 19, 2013, is vacated.

Dated: June 25, 2013



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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C13-01234 HRL Order will be electronically mailed to:

Michael G. Pitman michael.pitman@usdoj.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.