

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

RAY A. ABDULLA,
Plaintiff,
v.
RAKESH PATEL,
Defendant.

Civil No. 07cv1091-L(LSP)
**ORDER DENYING EX PARTE
APPLICATION AND ORDERING
DEFENDANT TO SUPPLEMENT
NOTICE OF REMOVAL**

In this medical malpractice action, the government filed a Certification of Scope of Employment and a Notice of Substitution of United States of America as Defendant in Place of Rakesh Patel, M.D. pursuant to 28 U.S.C. §2679(d). Concurrently, the government filed an Ex Parte Application for an Order Establishing Time for the United States to Respond to Claim. Since the government has not provided sufficient information, the ex parte application is **DENIED WITHOUT PREJUDICE.**

This action was filed in State court on September 6, 2006. The government filed a notice of removal on June 14, 2007. The only pleading attached to the notice of removal is the State court complaint. It therefore appears that the notice of removal does not include “a copy of all process, pleadings, and orders served upon such defendant or defendants in such action,” as

