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6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**
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9 UNITED STATES SECURITIES AND
10 EXCHANGE COMMISSION,

11 Plaintiff,

12 v.

13 GERARDO DE NICOLÁS
14 GUTIERREZ, CARLOS JAVIER
15 MOCTEZUMA VELASCO, RAMÓN
16 LAFARGA BÁTIZ, and NOE
CORRALES REYES,

17 Defendants.

Case No. 3:17-cv-02086-JAH-JLB

**ORDER VACATING HEARING
AND TAKING MOTION
UNDER SUBMISSION**

18 Pending before the Court is Plaintiff United States Securities and Exchange
19 Commission's ("SEC" or "Plaintiff") Motion for Order Allowing Service of Summons
20 and Amended Complaint upon defendants Gerardo de Nicolás Gutiérrez ("de
21 Nicolás"), Carlos Moctezuma Velasco ("Moctezuma"), and Ramón Lafarga Bátiz
22 ("Lafarga") (collectively, the "Unserved Defendants") via alternate means pursuant to
23 Federal Rule of Civil Procedure 4(f)(3). *Doc. No. 7*. On July 26, 2019, Plaintiff filed
24 supplemental briefing in support of its motion. *Doc. No. 8*. The Unserved Defendants
25 have not generally, nor specially appeared in the above-entitled action and no response
26 has been filed.

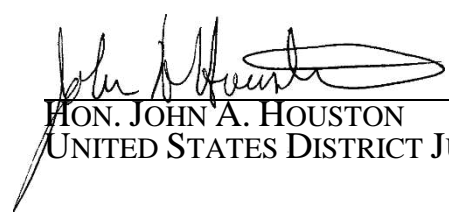
27 The Court deems Plaintiff's motion for an order allowing service under Rule
28 4(f)(3) suitable for adjudication without oral argument. *See CivLR 7.1 (d.1)*.

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Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's motion is taken under submission without oral argument, and the hearing date set for August 12, 2019, at 2:30 p.m., before this Court, is **VACATED**.

IT IS SO ORDERED.

DATED: August 7, 2019



HON. JOHN A. HOUSTON
UNITED STATES DISTRICT JUDGE