

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

OCT 7 - 2009

GREGORY C. LANGHAM  
CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 09-cv-02324-REB-KLM

TAMIKA A. BROWN,

Plaintiff,

v.

ROGER AGEN, and  
WENDY'S INTERNATIONAL, INCORPORATED,

Defendants.

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**ORDER REQUIRING SERVICE BY UNITED STATES MARSHAL**

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**Blackburn, J.**

This matter is before the court on the affidavit in support of the motion for leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915. The court has granted the plaintiff leave to proceed *in forma pauperis*.

**THEREFORE, IT IS ORDERED** as follows:

1. That if appropriate, the Clerk shall attempt to obtain a waiver of service from each of the defendants;
2. That if the Clerk is unable to do so, then the United States Marshal shall serve a copy of the complaint, summons, order granting leave to proceed pursuant to 28 U.S.C. § 1915, and all other orders on each of the defendants; provided, furthermore, that if appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to Fed. R. Civ. P. 4(d);
3. That all costs of service shall be advanced by the United States; and

4. That after service of process, any defendant or counsel for any defendant having been served shall respond to the complaint as provided in the Federal Rules of Civil Procedure.

Dated October 7, 2009, at Denver, Colorado.

BY THE COURT:

  
Robert E. Blackburn  
United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 09-cv-02324-REB-KLM

Angela D. Boykins  
Attorney at Law


**DELIVERED ELECTRONICALLY**

US Marshal Service  
Service Clerk

Service forms for: Roger Agen and Wendy's International, Incorporated

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to the United States Marshal for service of process on Roger Agen and Wendy's International, Incorporated: TITLE VII COMPLAINT FILED 09/30/09, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 10/7/09.

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_  
Deputy Clerk