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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 KENNETH TAYLOR CURRY,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of
10 Social Security,

11 Defendant.

No. C09-5673FDB-KLS

ORDER DIRECTING SERVICE BY
CLERK

12
13 This case has been referred to the undersigned Magistrate Judge pursuant to
14 Title 28 U.S.C. § 636(b)(1)(B). Plaintiff has been granted leave to proceed *in forma*
15 *pauperis*. (Dkt. #2). The Clerk is directed to effect service as provided below:

16 (1) Service by Clerk

17 The Clerk shall send the following to each of the following via certified or
18 registered mail in accordance with Federal Rule of Civil Procedure (“Fed. R. Civ. P.”) 4(i)
19 a copy of the complaint (Dkt. #3) and of this Order, two copies of the Notice of Lawsuit
20 and Request for Waiver of Service of Summons, a Waiver of service of Summons, and a
21 return envelope, postage prepaid, addressed to the Clerk’s Office;
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- 24 • Michael J. Astrue, Commissioner of Social Security Administration,
25 Office of the General Counsel, Social Security Administration, Room
617, Altmeyer Building, 6401 Security Blvd., Baltimore, MD 21235-
6401;
 - 26 • United States Attorney, Western District of Washington, 700 Stewart
Street, Suite 5220, Seattle, Washington, 98101-1271; and

ORDER - 1

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- 2 • Attorney General of the United States, Department of Justice, Room
3 4400, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-
4 0001.

5 All costs of service shall be advanced by the United States. The Clerk shall assemble the
6 necessary documents to effect service.

7 (2) Response Required

8 Defendant shall have **thirty (30) days** within which to return the enclosed Waiver
9 of Service of Summons. If defendant timely returns the signed Waiver, defendant shall
10 have **sixty (60) days** after the date designated on the Notice of Lawsuit to file and serve an
11 answer or a motion directed to the complaint, as permitted by Fed. R. Civ. P. 12.

12 If defendant fails to timely return the signed Waiver, defendant will be personally
13 served with a summons and complaint, and may be required to pay the full costs of such
14 service, pursuant to Fed. R. Civ. P. 4(d)(2). If defendant has been personally served,
15 defendant shall file an answer or motion permitted under Fed. R. Civ. P. 12 within **thirty**
16 **(30) days** after service.

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18 (3) Filing and Service by Parties, Generally

19 All original documents and papers submitted for consideration by the Court in this
20 case, and a duplicate of all such papers, are to be filed with the Clerk of this Court. The
21 originals and copies of all such papers shall indicate in the upper right-hand corner the
22 name of the Magistrate Judge to whom the copies are to be delivered. The papers shall be
23 accompanied by proof that such documents have been served upon counsel for the
24 opposing party (or upon any party acting pro se). The proof shall show the day and manner
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1 of service and may be written acknowledgment of service, by certificate of a member of the
2 bar of this Court, or by affidavit of the person who served the papers.

3 (4) Motions

4 Any request for Court action shall be set forth in a motion, properly filed and
5 served, pursuant to the requirements of Local Rule CR 7. If a party fails to file and serve
6 timely opposition to a motion, the Court may deem any opposition to be without merit.
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8 (5) Direct Communications with District Judge or Magistrate Judge

9 No direct communication is to take place with the District Judge or Magistrate
10 Judge with regard to this case. All relevant information and papers are to be directed to the
11 Clerk.

12 (6) Clerk's Action

13 The Clerk is directed to send a copy of this Order and of the General Order issued
14 by the Magistrate Judges to plaintiff and to defendant and defendant's counsel, if any.
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16 DATED this 19th day of February, 2010.

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20 Karen L. Strombom
21 United States Magistrate Judge
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