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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PETER FRITZ,

Plaintiff,

No. CIV S-08-2340 LKK DAD PS

v.

JOHN E. POTTER, Postmaster General,
United States Postal Service,

Defendant.

ORDER DIRECTING CLERK TO
SEND MATERIALS FOR SERVICE
AND REQUIRING SERVICE BY
UNITED STATES MARSHAL

_____/

This action arises from the settlement agreement approved in Chandler Glover & Dean Albrecht, et al. v. John E. Potter, Postmaster General, United States Postal Service, EEOC No. 320-A2-8011X, Agency No. CC-801-0015-99. Plaintiff, a class member dissatisfied with the settlement, pursued an unsuccessful administrative appeal and now seeks judicial relief. By order filed November 12, 2008, plaintiff's application to proceed in forma pauperis was granted, and plaintiff's complaint was dismissed with leave to amend. In compliance with the order, plaintiff has filed a timely amended complaint.

IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to issue process and send plaintiff an instruction sheet for service of process by the United States Marshal, one USM-285 form, one summons, and one endorsed copy of plaintiff's amended complaint filed December 8, 2008.

1 2. Plaintiff shall submit the properly completed forms, the number of copies of
2 the amended complaint required by Federal Rule of Civil Procedure 4(i), and one copy of this
3 order directly to the office of the United States Marshal within thirty (30) days after this order is
4 served.

5 3. Within ten (10) days after submitting the materials for service to the United
6 States Marshal, plaintiff shall prepare and file with the Clerk of the Court a declaration in which
7 he states the date on which he submitted all required documents to the office of the United States
8 Marshal. Failure to file the required declaration may result in an order imposing sanctions.

9 4. Within thirty (30) days after receiving all necessary materials from the
10 plaintiff, the United States Marshal is directed to serve process on defendant John E. Potter.

11 DATED: December 10, 2008.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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