UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

STANLEY ZHONG, et al., Plaintiffs, v. THE REGENTS OF UNIVERSITY OF CA, et al., Defendants.	Case No. 2:25-cv-00495-DJC-CSK ORDER ON PLAINTIFF'S MOTIONS (ECF Nos. 5, 6.)

Plaintiff Nan Zhong has filed two motions that are currently pending before the Court.[1] (ECF Nos. 5, 6.) Defendants have not appeared in this action. The Complaint was filed on February 11, 2025 by Plaintiffs Stanley Zhong, Nan Zhong and Students Who Oppose Racial Discrimination (SWORD). (ECF No. 1.)

Plaintiff Nan Zhong has filed a motion for a 90-day extension of time to serve Defendant U.S. Department of Education with the summons and Complaint. (ECF No. 5.) Plaintiff Nan Zhong indicates he has attempted service on Defendant U.S. Department of Education but that the service address listed in the official Code of Federal Regulations is inaccurate. (ECF No. 5 at 2.) Plaintiff Nan Zhong therefore requests additional time to identify the correct service address to re-attempt to serve

[1] This matter proceeds before the undersigned pursuant to 28 U.S.C. § 636, Fed. R. Civ. P. 72, and Local Rule 302(c)(21).

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Defendant U.S. Department of Education in compliance with Federal Rules of Civil Procedure 4. (*Id*. at 3.) Plaintiff Nan Zhong's request will be granted in part. Plaintiffs will be granted sixty (60) days to serve Defendant U.S. Department of Education in compliance with Federal Rule of Civil Procedure 4.

Plaintiff Nan Zhong also seeks leave to e-file documents using the Court's CM/ECF system. (ECF No. 6.) Plaintiff Nan Zhong notes he wishes to promote efficiency, reduce costs associated with paper filing, ensure timely receipt of filings and court orders, and facilitate easier access to the case docket. (*Id.* at 1-2.) The Local Rules are clear that "any person appearing pro se may not utilize electronic filing except with the permission of the assigned Judge or Magistrate Judge." *See* Local Rule 133(b)(2). Plaintiff Nan Zhong's motion for e-filing access does not provide good cause for deviance from this Local Rule. Thus, Plaintiff Nan Zhong's motion for e-filing access is denied. Plaintiff Nan Zhong will continue to file paper documents with the Court through conventional means.

The Complaint indicates that Plaintiffs are being represented by Plaintiff Nan Zhong. Compl. at 3. This is improper because Nan Zhong is not identified as an attorney, and only attorneys may represent a litigant. *See* E.D. Cal. L.R. 183(a) ("[a]ny individual who is representing himself or herself without an attorney must appear personally or by courtesy appearance by an attorney admitted to the Bar of this Court and may not delegate that duty to any other individual, including husband or wife, or any other party on the same side appearing without an attorney."). In addition, Plaintiff SWORD is an entity, and as such, must be represented by an attorney and may not appear in this action without counsel. *See* E.D. Cal. L.R. 183(a). Plaintiff SWORD is granted sixty (60) days from the date of this order to retain counsel. Counsel must promptly file a notice of appearance in this action, no later than sixty-five (65) days from the date of this order.

ORDER

Accordingly, the Court ORDERS:

1. Plaintiff Nan Zhong's motion for extension of time (ECF No. 5) is

GRANTED IN PART. Plaintiffs will have sixty (60) days from the date of this order to properly serve Defendant U.S. Department of Education in compliance with Federal Rule of Civil Procedure 4;

2. Plaintiff Nan Zhong's motion for e-filing access (EFC No. 6) is DENIED;

3. Plaintiff SWORD is granted sixty (60) days from the date of this order to retain counsel. Counsel must promptly file a notice of appearance in this action, no later than sixty-five (65) days from the date of this order.

Dated: May 5, 2025

CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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