

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 12-1092 DMG (JC)	Date	August 8, 2012
Title	Dr. Orly Taitz, Esq. v. Kathleen Sebelius, Secretary of Health and Human Services, et al.		

Present: The Honorable	Jacqueline Chooljian, United States Magistrate Judge		
Hana Rashad	None	None	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
none present	none present		

Proceedings: (IN CHAMBERS)

ORDER (1) RE REFERENCE TO UNITED STATES MAGISTRATE JUDGE; AND (2) VACATING HEARING ON, AND STRIKING MOTION FOR PRELIMINARY INJUNCTION AND ACCOMPANYING REQUEST FOR JUDICIAL NOTICE (DOCKET NOS. 10-12)

On July 5, 2012, plaintiff Dr. Orly Taitz, Esq. (“plaintiff”), who is at liberty and proceeding *pro se*, paid the filing fee and filed a Complaint (“Complaint”) against the following defendants: (1) Kathleen Sebelius, Secretary of Health and Human Services; (2) President Barack Obama; (3) Nancy Pelosi, Chair of the 2008 Democratic National Convention; (4) Brian Schatz, 2008 Chair of the Hawaii Democratic Party; (5) Lynn Matusow, 2008 Secretary of the Hawaii Democratic Party; (6) Alvin Onaka, Registrar, Hawaii Health Department; (7) Michael Astrue, Commissioner of the Social Security Administration; (8) Eric Holder, United States Attorney General; (9) William A. Chatfield, former Director of the Selective Service; (10) Alice Travis Germond, Secretary of the 2008 Democratic Nominating Convention; (11) Obama for America; and John Does and Jane Does 1-10. (Complaint at 1-5).

Also on July 5, 2012, as reflected in the Notice of Reference to United States Magistrate Judge (“Notice of Reference”) filed such date (Docket No. 2), this matter was referred to the instant Magistrate Judge pursuant to General Order 05-07 for consideration of preliminary matters and to conduct all further hearings as may be appropriate and necessary.

On August 6, 2012, plaintiff filed a “Motion for Stay/Preliminary Injunction” and an accompanying “Request for Judicial Notice” (collectively “Plaintiff’s Motion”). (Docket Nos. 10-12). The docket reflects that Plaintiff’s Motion was set for hearing on August 10, 2012 at 9:00 a.m. before United States District Judge Dolly M. Gee. (Docket No. 10). On August 7, 2012, the Clerk issued a notice of deficiencies advising plaintiff of specified deficiencies relative to Plaintiff’s Motion and notifying plaintiff that the Court, in response to such notice may, among other things, order the documents stricken.

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IT IS HEREBY ORDERED that Plaintiff's Motion is stricken and the August 10, 2012 hearing thereon vacated without prejudice because Plaintiff's Motion has not been properly noticed. See Local Rule 6-1; Notice of Reference. The Court also notes that although Plaintiff's Motion reflects that an oral message regarding Plaintiff's Motion was apparently left with a United States Department of Justice attorney, the record does not reflect that the foregoing attorney represents any defendant in this action or that any defendant has yet been properly served with the Complaint and Summons or appeared in this action.¹

IT IS SO ORDERED.

Initials of
Deputy Clerk _____ hr

¹The Court further notes that Plaintiff's Motion (and plaintiff's other submissions to the Court) do not comport with Local Rule 11-3.2 which requires the use of paper bearing numbered lines.