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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**VICTOR HANNAN**, individually and on behalf of a class of similarly situated persons,

Plaintiff,

v.

**THE TULVING COMPANY, INC.**, a California Corporation; and **HANNES TULVING, JR.** a California resident,

Defendants.

Case No. 5:14-cv-01054-EJD

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S *EX PARTE* MOTION  
FOR LEAVE TO SERVE DEFENDANT  
HANNES TULVING, JR. BY  
ALTERNATIVE MEANS**

Date: In Chambers  
Time: In Chambers  
Ctrm: 4, 5th Flr.  
Judge: The Hon. Edward J. Davila  
Filed: April 9, 2014

1 The Court has before it the motion of Plaintiff Victor Hannan, pursuant to Federal  
2 Rules of Civil Procedure 4 and California Code of Civil Procedure 413.30, and the  
3 inherent powers of this Court, for leave to serve Defendant Hannes Tulving, Jr. ("Tulving")  
4 by alternative means. Because this motion is for leave to serve Tulving by alternative  
5 means, the Court considered the motion on an *ex parte* basis, without advance notice to  
6 Tulving.

7 Having considered the motion, memorandum, the supporting declaration, the  
8 pleadings and papers on file in this action, the relevant statutory and case law, and good  
9 cause appearing therefore;

10 **IT IS HEREBY ORDERED** that Plaintiff's Motion is **GRANTED**.

11 **IT IS HEREBY FURTHER ORDERED** that Plaintiff is authorized to serve the  
12 summons, complaint, and TRO on Tulving by:

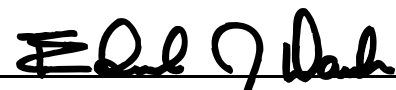
13 1. Mailing copies of the summons, complaint, and TRO to the bankruptcy  
14 attorney for The Tulving Company, Inc., Andrew S. Bisom, Bisom Law Group, 8001 Irvine  
15 Center Drive, Suite 1170, Irvine, CA 92618;

16 2. Emailing copies of the summons, complaint, and TRO to Tulving's email  
17 address at hannes@tulving.com; and

18 3. Mailing copies of the summons, complaint, and TRO to The Tulving  
19 Company, Inc.'s business address, located at 750 W. 17th St., Suite A, Costa Mesa, CA  
20 92627.

21 **IT IS HEREBY FURTHER ORDERED** that service shall be deemed complete upon  
22 the mailing and e-mailing of the summons, complaint, and TRO as described above.  
23 Plaintiff shall also serve a copy of this Order on Defendant and shall file a pleading  
24 consistent with Federal Rule of Civil Procedure 4(l) on or before **April 15, 2014**. Any  
25 opposition to OSC re: Preliminary Injunction shall be filed on or before **April 22, 2014**.  
No reply shall be filed. The hearing on the OSC re: Preliminary Injunction remains as set  
for **11:00 a.m. on April 25, 2014**.

26 Dated: April 10 2014



Hon. Edward J. Davila  
United States District Judge