

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

GORDON WARREN EPPERLY,

Plaintiff,

VS.

ALLEN WEINSTEIN,

Defendant.

Case No. 1:07-cv-00011-JWS

ORDER

On June 11, 2007, Gordon Warren Epperly, representing himself, filed a civil complaint in this Court, paid the \$350.00 filing fee, and he has now filed returns of service upon the defendant.¹

IT IS HEREBY ORDERED:

1. After service of the initial summons and complaint, all future papers to be filed with the Court must be identified with the name of the Court, Case No. 1:07-cv-00011-JWS, the names of the plaintiff and the defendant, and the title of the document, as illustrated on the first page of this Order.

¹ See Docket Nos. 1, 3-6.

Mr. Epperly shall serve a copy of all future pleadings or documents he sends to the Court upon the defendant or, if an appearance has been entered by counsel for defendant, on defendant's lawyer. Mr. Epperly shall include, with any original paper to be filed with the Clerk of Court, a certificate stating the date that an exact copy of the document was mailed, faxed or hand-delivered to the defendant or his lawyer. A certificate of service may be written in the following form at the end of his document:

I hereby certify that a copy of the above (name of document) was served upon (name of opposing party or counsel) by (mail/fax/hand-delivery) at (address) on (date) .

(Mr. Epperly's Signature)

No party shall have any *ex parte* communication (that is, communication without the presence and/or knowledge and consent of the other parties) with a District Court Judge or Magistrate Judge of this Court about the merits of this action. Any paper received by a District Court Judge or Magistrate Judge which has not been filed with the Clerk of Court or which does not include a certificate of service will be disregarded by the Court. Mr. Epperly should not write letters to the Court, but must file any requests for action by the Court during these proceedings in the form of a **motion**.

The Clerk of Court is directed to send a copy of the Court's motion form, PS12, to Mr. Epperly with this Order.

5. If Mr. Epperly wants to have his compact diskette, submitted to the Court at the time he filed his initial pleading,² to be considered as part of the Court's record, he must file a motion to that effect, and he must serve that motion, along with the CD, upon the defendant or opposing counsel, as explained above.³
6. No party shall have any *ex parte* communication (that is, communication without the presence and/or knowledge and consent of the other parties) with a District Court Judge or Magistrate Judge of this Court about the merits of this action. Mr. Epperly should not write letters to the Court, but must file any requests for action by the Court during these proceedings in the form of a **motion**.
7. The Clerk of Court is directed to send a copy of the Court's motion form, PS12, to Mr. Epperly with this Order.
8. Mr. Epperly shall provide the Court with the original, plus one complete and legible copy, of every paper he submits for filing, as required by this Court's Local Rule 10.1(b).
9. At all times, Mr. Epperly shall keep the Court informed of any change of address, by filing a notice titled "NOTICE OF CHANGE OF ADDRESS." The

² See Docket No. 1, attachment #2.

³ See District of Alaska Local Rule (D.Ak.LR) 10.1(b)(3)[B], referencing D.Ak.LR 5.3(g)(2)[B].

notice shall contain **only** information about the change of address, and its effective date. The notice shall not include any requests for any other relief. Failure to file the notice may result in the dismissal of the action for failure to prosecute under Rule 41(b) of the Federal Rules of Civil Procedure.

10. The Clerk of Court is directed to send a copy of our *pro se* handbook, "Representing Yourself in Alaska's Federal Court," to Mr. Epperly with this Order.

DATED this 30th day day of July, 2007, at Anchorage, Alaska.

/s/JOHN W. SEDWICK
United States District Judge