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**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

vs. *Applicant,*

Defendant.

Case No.

**EX PARTE PETITION FOR ORDER
TO SERVE BY PUBLICATION
(California Code of Civil Procedure
section 415.50)**

Applicant, through Applicant's attorney of record, hereby applies for an order to serve defendant by publication.

Such petition is made upon the ground that said defendant cannot with reasonable diligence be located and served in any other manner specified in the Code of Civil Procedure and that as shown by the Application for Adjudication on file herein, Applicant has a claim against said defendant.

This Petition is based on the attached declaration and the Workers' Compensation Appeals Board file for this case.

Dated: _____

Attorney for Applicant

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**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

vs.	<i>Applicant,</i>
	<i>Defendants.</i>

Case No.

**DECLARATION IN SUPPORT OF
PETITION FOR ORDER TO SERVE BY
PUBLICATION
(CCP 415.50)**

I, the undersigned, declare as follows:

I am an employee of Med-Legal, Inc. and have personal knowledge of each of the facts set forth in this Declaration, and can testify competently thereto, except as to the matters stated on information and belief, and as to such matters I believe them to be true.

This declaration is being submitted in support of applicant's Petition for Order to Serve by Publication.

Applicant has filed an Application for Adjudication alleging an injury while in the course and scope of employment and arising out of employment while employed by defendant employer.

/////

1 I have made the following attempts to located and serve copies of the Special Notice of
2 Lawsuit, Application for Adjudication and accompanying documents to the employer
3 personally, all of which attempts have been unsuccessful:

4 A process server went to the last known address of defendant. Defendant could not be
5 served at that address. No current address could be determined. Attached is the declaration of
6 the process server.

7 Service by substituted service could not be made because the defendant was no longer at
8 the last known address.

9 I have attempted to serve copies of the documents on defendant by mail with
10 acknowledgment of receipt, and pursuant to the provisions of CCP section 414.30, all of
11 which attempt was unsuccessful.

12 I have been unable to locate said defendant, within or outside the State of California,
13 despite reasonable efforts and diligence. The following is a description of the records that I
14 have checked, the persons whom I have asked, and the other investigation I have made, in the
15 effort to locate said defendant, all of which have been unsuccessful: the telephone information
16 operator (411), and the Secretary of State world wide web site (ss.ca.gov/). I have searched
17 the following world wide web databases: Board of Equalization, ABC Licenses, Corporations
18 and Limited Partnerships, Fictitious Business Names, Professional Licenses, Contractors,
19 Realtors, Property Ownership, UCC Index, Marriages, Bankruptcy Index, Criminal Index,
20 Civil Index and have been unsuccessful in locating defendant.

21 To the best of my knowledge, no person, firm, or entity other than as mentioned
22 above knows, or is likely to know, the whereabouts of said defendant, and I know of no other
23 source which the defendant's whereabouts can be ascertained.

24 I declare under penalty of perjury under the laws of the State of California that
25 the foregoing is true and correct.

26 Executed on: _____ at _____

27
28 _____
Declarant

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name and Address</i>):		TELEPHONE NO.:		<i>FOR COURT USE ONLY</i>
ATTORNEY FOR (<i>NAME</i>):		Ref. No. or File No.:		
Insert name of court and name of judicial district and branch court if any:				
PLAINTIFF: DEFENDANT:				
DECLARATION OF DUE DILIGENCE WITH RETURN OF SERVICE		HEARING DATE:	HEARING TIME:	DEPT./DIV.:
				CASE NUMBER:

ON (Date) _____ I received the papers specified on the attached.
 After careful INQUIRY and DUE DILIGENCE, I have been unable to effect
 personal service or substituted service thereof, within the meaning of CCP 415.10 and 415.20 on

NAME: _____

ATTEMPTS

LOCATION/DATE	TIME	RESPONSE
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At the time of above attempts, I was over the age of 18 years and not a party to this action. I, the undersigned, declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Fee for Service: _____

Date: _____

(signature)

(print or type name)

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**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

vs. *Applicant,*

Defendants.

Case No.

**ORDER TO SERVE BY PUBLICATION
(California Code of Civil Procedure
section 415.50)**

The court having reviewed the petition of applicant for an order to serve by publication finds that, after due diligence, service cannot be effected on the defendant under any other California Code of Civil Procedure section. The court finds applicant has filed an Application for Adjudication and defendant is subject to the jurisdiction of the Workers' Compensation Appeals Board.

Good cause appearing, IT IS ORDERED that service is to be made by publication in the below named newspaper which is a newspaper of general circulation:

and that such publication is in a county most likely to give actual notice to the defendant and that the defendant be mailed a copy of this order and served a copy of the Special Notice of Lawsuit and all attachments forthwith if the defendant's address is ascertained before the expiration of the time prescribed for publication .

Dated: _____

Workers' Compensation Administrative Law Judge