

Attorney for Applicant

WORKERS' COMPENSATION APPEALS BOARD, State of California

vs Applicant Defendant(s)	CASE NUMBER EX PARTE PETITION FOR ORDER FOR PUBLICATION OF Application for Adjudication and Notice of Special Lawsuit Points and Authorities, Declaration and Order
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Applicant petitions for an order directing service of the above-captioned Application for Adjudication and Notice of Special Lawsuit on defendant(s) _____

by publication in a newspaper of general circulation, most likely to give notice to defendant(s) pursuant to Code of Civil Procedure Section 415.50.

Such application 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 as shown by the Application for Adjudication the Applicant has a claim for workers' compensation benefits.

Dated: _____

Attorney for Applicant

Points and Authorities

§415.50. Service by Publication for Persons Who Cannot Be Served Otherwise--Conditions.

(a) A summons may be served by publication if upon affidavit it appears to the satisfaction of the court in which the action is pending that the party to be served cannot with reasonable diligence be served in another manner specified in this article and that:

(1) A cause of action exists against the party upon whom service is to be made or he or she is a necessary or proper party to the action; or

(2) The party to be served has or claims an interest in real or personal property in this state that is subject to the jurisdiction of the court or the relief demanded in the action consists wholly or in part in excluding the party from any interest in the property.

(b) The court shall order the summons to be published in a named newspaper, published in this state, that is most likely to give actual notice to the party to be served and direct that a copy of the summons, the complaint, and the order for publication be forthwith mailed to the party if his or her address is ascertained before expiration of the time prescribed for publication of the summons. Except as otherwise provided by statute, the publication shall be made as provided by Section 6064 of the Government Code unless the court, in its discretion, orders publication for a longer period.

(c) Service of a summons in this manner is deemed complete as provided in Section 6064 of the Government Code .

(d) Notwithstanding an order for publication of the summons, a summons may be served in another manner authorized by this chapter, in which event the service shall supersede any published summons.

**APPLICATION FOR PUBLICATION OF APPLICATION FOR ADJUDICATION AND
NOTICE OF SPECIAL LAWSUIT**
