American Indoor Football Association, Inc. v. Lockwood et al Doc. 10

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE

MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AMERICAN INDOOR FOOTBALL ASSOCIATION, INC.,	)	
Plaintiff,	)	
v.	)	CIVIL ACTION NO. 2:09cv1037-MHT (WO)
KELLY LOCKWOOD, individually, and NJ KINGS, LLC, a New Jersey Limited Liability Company,	)	
Defendants.	)	

ORDER

On November 10, 2009, plaintiff American Indoor Football Association, Inc. (AIFA) filed the instant lawsuit in this court. On April 20, 2010, AIFA filed a motion for extension of time to perfect service on defendant Kelly Lockwood. The motion and accompanying affidavit allege failed attempts to serve Lockwood up to and including an attempt on January 24, 2010. However, AIFA provides no explanation for its decision to wait nearly three months after that final attempt to request an extension of time. More importantly, AIFA provides no

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explanation for its decision to wait more than five months after this lawsuit was filed, and more than a month after the 120-day-time limit for service had expired, to request said extension. Finally, and relatedly, AIFA makes no attempt to explain why this court should grant a motion for extension filed after the expiration of the 120-day-time limit.

Accordingly, plaintiff American Indoor Football Association, Inc. is ORDERED to file a memorandum, on or before April 28, 2010, that explains the above-described delay in filing the motion for extension. Specifically, the memorandum should explain why the court should grant a motion for extension filed after the expiration of the 120-day-time limit for service of process.

DONE, this the 21st day April, 2010.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE