

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

| | | |
|-------------------|---|------------------|
| JEFFERY BAKER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. |
| |) | 2:12cv1013-MHT |
| SIKORSKY AIRCRAFT |) | (WO) |
| CORPORATION, |) | |
| |) | |
| Defendant. |) | |

OPINION AND ORDER

Plaintiff Jeffery Baker seeks additional time to serve defendant Sikorsky Aircraft Corporation with his complaint. Baker explained that, when he drafted the complaint, he did so with the assistance of counsel who contracted with him solely to draft the complaint. Baker sought to retain counsel for the litigation and made several unsuccessful attempts before contracting with current counsel on February 14, 2013; he did not attempt to serve the complaint before that time because he sought the skill and expertise of counsel to perfect service.

The court has discretion to extend the deadline for service even in the absence of good cause for failure to

serve a defendant within 120 days after the complaint is filed. Fed. R. Civ. P. 4(m); Horenkamp v. Van Winkle and Co., Inc., 402 F.3d 1129, 1132 (11th Cir. 2005).

Based on the foregoing, it is ORDERED that:

(1) Plaintiff Jeffery Baker's motions for extension of deadline of time to serve complaint (doc. nos. 6 and 8) are granted.

(2) Plaintiff Baker has until April 23, 2013, to serve his complaint.

DONE, this the 26th day of February, 2013.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE