

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-9687 CAS (AGR _x)	Date	February 28, 2011
Title	ANTHONY N. OZOGU, ETC.; ET AL. v. CITIMORTGAGE, INC.; ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER		
CATHERINE JEANG	Not Present	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not Present	Not Present		

Proceedings: (In Chambers:) ORDER TO SHOW CAUSE FOR INSUFFICIENT SERVICE OF PROCESS

On October 22, 2010, plaintiffs Anthony N. Ozogu and Regina O. Thomas filed suit in Los Angeles County Superior Court against CitiMortgage, Inc. (“CitiMortgage”); CITIMORTGAGE, INC.; Citibank, N.A. (“Citibank”); CR Title Services (“CRTS”); First American Title Insurance Co. (“First American”); Merscorp, Inc.; Mortgage Electronic Registration Systems, Inc. (“MERS”); Pacifica L. Nineteen, LLC (“Pacifica”); Orion Financial Group, Inc.; iServe Servicing, Inc. (“iServe”); Virkam S. Pandit; Sanjiv Das; Deepak Israni; Mike E. Wileman; Richard Cimino; R.K. Arnold; Jennifer Welborn (erroneously sued as Jennifer Wellborn); Tameka Harris; Aaron Doty; Pam January; Richard Martinez; J. Florez; Kristen B. Linder; and Does 1 through 15 inclusive (collectively, “defendants”). Plaintiffs’ 121 page complaint advances 22 separate claims for relief in 617 paragraphs.

On December 16, 2010, Pacifica, iServe, Israni, Cimino, and Welborn (collectively, the “Removing Parties”) removed the action to federal court based on subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1441(b). In their notice of removal, the Removing Parties assert that the complaint has not been served on any of the defendants, and that the state court docket is bereft of any entries. See Notice of Removal ¶ 4.

In a removal action, federal law governs service of process conducted *after* removal. See Fed. R. Civ. P. 81(c). Under federal law, a defendant must be served within 120 days after the complaint is filed. Fed. R. Civ. P. 4(m).

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Plaintiffs do not appear to have effected proper service on defendants. It appears the time limit to serve defendants with the summons and complaint has expired. See Fed. R. Civ. P. 4(m). Accordingly, plaintiffs are hereby **ORDERED to SHOW CAUSE** on or before **March 15, 2011**, why the instant action should not be dismissed for insufficient service of process.

IT IS SO ORDERED.

Initials of Preparer _____ 00 : _____ 00
_____ CMJ
