

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	<b>CV 13-3983 FMO (MANx)</b>	Date	<b>August 28, 2014</b>
Title	<b>United Van Lines LLC, et al. v. Jeremy Brown, et al.</b>		

Present: The Honorable	<b>Fernando M. Olguin, United States District Judge</b>		
	<b>Vanessa Figueroa</b>		<b>None Present</b>
	Deputy Clerk		Court Reporter / Recorder
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
	None Present		None Present

**Proceedings: (In Chambers) Order to Show Cause Re: Dismissal Re: Lack of Prosecution**

Generally, a defendant must answer the complaint (or counterclaims) within 21 days after service. See Fed. R. Civ. P. 12(a). Here, defendant **Jeremy Brown** ("Brown") filed counterclaims against Michael Jacobs ("Jacobs") and proof of service on July 17, 2014.

Because no answer to the counterclaims had been filed, the court, on August 14, 2014, ordered Brown to show cause in writing why his counterclaims against Jacobs should not be dismissed for lack of prosecution. Brown was required to file an application for entry of default against Jacobs no later than August 22, 2014. (See Court's Order of August 14, 2014). On August 17, 2014, Brown filed an application for entry of default, which the court denied without prejudice as deficient on August 20, 2014. (See Court's Order of August 20, 2014). As of the date of this Order, Brown has not filed a renewed application for entry of default against Jacobs.

Accordingly, IT IS ORDERED that Brown shall file an application for entry of default against Jacobs no later than **September 4, 2014**. Failure by Brown to timely apply for entry of default shall result in dismissal of his counterclaims against Jacobs for lack of prosecution and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); Link v. Wabash R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

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