B.A.S.A. Trading, Inc. v. SJL Apparel, Inc. et al Doc. 69

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES - GENERAL

Case No. **CV 15-4816 -DMG (RAOx)** Date April 15, 2016

Title ***B.A.S.A. Trading, Inc. v. SJL Apparel, Inc. et al.***

Present: The Honorable DOLLY M. GEE, UNITED STATES DISTRICT JUDGE

Kane Tien	Not Reported
Deputy Clerk	Court Reporter
Attorneys Present for Plaintiff(s)	Attorneys Present for Defendant(s)
Not Present	Not Present

Proceedings: IN CHAMBERS - Order To Show Cause Re: Dismissal for Lack of Prosecution

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. See Fed. R. Civ. P. 4(m). Generally, defendant must answer the complaint within 21 days after service (60 days if the defendant is the United States).

In the present case, it appears that these time periods have not been met. Accordingly, the Court, on its own motion, orders plaintiff(s) to show cause in writing on or before **April 29, 2016** why this action should not be dismissed as to defendant 2 Cute Clothing Corp. for lack of prosecution. As an alternative to a written response by plaintiff(s), the Court will consider the filing of one of the following, as an appropriate response to this Order To Show Cause, on or before the above date, as evidence that the matter is being prosecuted diligently:

___X___ An answer by the following defendant(s): **2 Cute Clothing Corp.**;
___X___ Plaintiff's application for entry of default pursuant to Rule 55a of the Federal Rules of Civil Procedure;

It is plaintiff's responsibility to respond promptly to all Orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time to respond. If necessary, plaintiff(s) must also pursue Rule 55 remedies promptly upon the default of any defendant. All stipulations affecting the progress of the case must be approved by this Court. (Local Rules 7-1 and 7-2.)

No oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a responsive pleading or motion on or before the date upon which a response by plaintiff(s) is due. This action will be dismissed as to defendant 2 Cute Clothing Corp. if the above-mentioned document(s) are not filed by the date indicated above.

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