

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 16-1030 FMO (JCx)	Date	December 13, 2016
Title	Politis Family LLC v. The Pep Boys Manny Joe and Jack of California, <u>et al.</u>		

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

Proceedings: (In Chambers) Order re: Dismissal for Lack of Prosecution

On December 6, 2016, plaintiff Politis Family LLC ("plaintiff") submitted Proofs of Service indicating that defendants 1721 N. Long Beach, LLC and Javid Somekh were served with the Summons and operative Second Amended Complaint on November 14, 2016. (See Dkt. 58, Declaration of Victor J. Otten ("Otten Decl.") at Exh. 2, ECF 648-49). Pursuant to Rule 12 of the Federal Rules of Civil Procedure, a defendant must serve an answer "within 21 days after being served with the summons and complaint." Fed. R. Civ. P. 12(a)(1)(A)(i). As of the filing date of this Order, neither 1721 N. Long Beach, LLC nor Javid Somekh have filed an answer. (See, generally, Dkt.). Accordingly, IT IS ORDERED THAT:

1. No later than **December 21, 2016**, plaintiff shall file applications for entry of default pursuant to Fed. R. Civ. P. 55(a) with respect to defendants 1721 N. Long Beach, LLC and Javid Somekh.
2. Failure to comply with this Order may result in the imposition of sanctions and dismissal of the above-identified defendants for lack of prosecution. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962); Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002), cert. denied, 538 U.S. 909 (2003).

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