

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

Case No. **CV 16-7181-DMG (FFMx)** Date **October 16, 2017**

Title ***Lecia L. Shorter v. Southern California Buick Pontiac GMC Dealers, Inc., et al.***

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

Kane Tien
Deputy Clerk

Not Reported
Court Reporter

Attorneys Present for Plaintiff(s)
Not Present

Attorneys Present for Defendant(s)
Not Present

**Proceedings: IN CHAMBERS - ORDER TO SHOW CAUSE RE: DISMISSAL OF
CROSS-CLAIM 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 one or more of these time periods has not been met. Accordingly, the Court, on its own motion, orders cross-claimant(s) to show cause in writing on or before **October 30, 2017** why the cross-claim should not be dismissed 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:

An answer by the following cross-defendant(s): **Southern California Buick Pontiac GMC Dealers, Inc.**

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. The cross-claim will be **dismissed** if the above-mentioned document(s) are not filed by the date indicated above.