

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

Case No. 2:23-cv-05723-RGK-RAO

Date November 15, 2023

Title Vartan Vartanians v. United States of America, et al.

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Joseph Remigio

N/A

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None appearing

None appearing

**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. Fed.R.Civ.Proc. 4(m). Generally, defendants must answer the complaint within 21 days after service (60 days if the defendant is the United States). Fed.R.Civ.Proc. 12(a)(1).

In the present case, it appears that one or more of these time periods has not been met.

**Specifically, Plaintiff has not shown compliance with Fed. R.Civ.Proc. 4(i)(1)(A)(i), (ii) and 4(m).**

Accordingly, the court, on its own motion, orders plaintiff(s) to show cause in writing by **November 20, 2022**, why this action should not be dismissed for lack of prosecution due to untimely service.

If a satisfactory response is not timely filed, the matter will be dismissed for lack of prosecution. **A stipulation to extend dates or a notice of settlement do not constitute a proper response to this order.**

Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the court finds that this matter is appropriate for submission without oral argument.

Plaintiff to serve this order on any non-appearing defendant/s for whom service has been attempted.