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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LISA MISRAJE BENTLEY,

Plaintiff,

v.

JAMES RANDALL ARGUE; DAVID
BRADSHAW; RALPH LINHARDT;
MICHAEL H. RAMSEY; JACK ONG;
JOHN DAVID WARE; DOES 1–10,
inclusive,

Defendants.

Case No. 5:13-cv-00950-ODW(OPx)

**ORDER DISCHARGING ORDER
TO SHOW CASE RE. LACK OF
PROSECUTION**

On May 23, 2013, Plaintiff Lisa Misraje Bentley filed a Complaint against Defendants. The Clerk of Court issued a Summons the same day. On October 3, 2013, the Court ordered Bentley to show cause why she had not served Defendants. On October 8, 2013, Bentley filed proofs of service for Defendants James Randall Argue, John David Ware, and Ralph Linhardt. (ECF Nos. 15–17.)

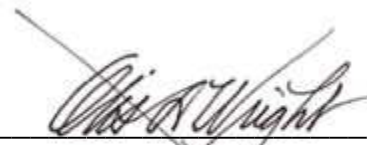
On October 9, 2013, Bentley filed a response to the Court’s Order to Show Cause. (ECF No. 18.) Bentley states that she retained Cal Express to attempt to serve Defendants Jack Ong and David Bradshaw. Cal Express has located Ong’s address and attempted unsuccessfully to serve him on six occasions. (Gutierrez Decl.) But Bentley has been unable to locate Bradshaw. (Eastman Decl. ¶ 17.) Bentley believes that she will be able to locate Bradshaw’s address and serve him within 30 days. (*Id.*)

1 The Court finds that Bentley has demonstrated good cause for failing to serve
2 Ong and Bradshaw within 120 days of filing her case. Fed. R. Civ. P. 4(m). The
3 Court therefore **DISCHARGES** the Order to Show Cause re. Lack of Prosecution.

4 The Court also **ORDERS** Bentley to submit a status report by Tuesday,
5 November 12, 2013, demonstrating good cause why she still has not served Ong and
6 Bradshaw. If Bentley successfully serves either or both Defendants before that date,
7 she shall file the appropriate proof of service immediately. Failure to timely respond
8 will result in dismissal of Defendants Ong and Bradshaw from this action.

9 **IT IS SO ORDERED.**

10
11 October 10, 2013

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14 **OTIS D. WRIGHT, II**
15 **UNITED STATES DISTRICT JUDGE**
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