

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

Case No. **EDCV 14-0630 JGB (SPx)** Date August 28, 2014

Title ***Clestine McGinnis v. Hartford Life and Accident Ins. Co., et al.***

Present: The Honorable **JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE**

MAYNOR GALVEZ

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: ORDER To Show Cause re: Dismissal for Lack of Prosecution (IN CHAMBERS)

Plaintiff is ORDERED to show cause why this case should not be dismissed for lack of prosecution as to Defendant Group Long Term Disability Plan for Employees of Gambro, Inc. Link v. Wabash R. Co., 370 U.S. 626 (1962) (court has inherent power to dismiss for lack of prosecution on its own motion).

Plaintiff filed her Complaint on April 1, 2014. (Compl., Doc. No. 1.) No proof of service is on file for either of the two Defendants. However, on June 6, 2014, Defendant Hartford Life and Accident Insurance Company answered. (Doc. No. 9.) Defendant Group Long Term Disability Plan for Employees of Gambro, Inc. has not answered or appeared in this action.

Plaintiff has failed to file proof of service as to Defendant Group Long Term Disability Plan for Employees of Gambro, Inc. within 120 days of the filing of the Complaint. Plaintiff can satisfy this order by showing that service was effectuated on Group Long Term Disability Plan for Employees of Gambro, Inc. within the 120 day deadline or by showing good cause for failure to do so. Fed. R. Civ. P. 4(m).

Plaintiff must respond to this order by **September 5, 2014**. Failure to respond to this Order will be deemed consent to the dismissal of the action against the unserved Defendant.

IT IS SO ORDERED.