UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	SACV 20-02399-JLS (KESx)	Date	February 18, 2021
Title	James Rutherford v. Mai Tay Hien, LLC et al		

Present: The Honorable	JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE	
Melissa Kunig	None Present	
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None Present	None Present

Proceedings: **(IN CHAMBERS) ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION**

The Court, on its own motion, hereby ORDERS plaintiff, to show cause in writing no later than **March 1, 2021,** why this action should not be dismissed for lack of prosecution. As an alternative to a written response by plaintiffs, the Court will consider the filing of one of the following, as an appropriate response to this OSC, on or before the above date:

X Plaintiff filing a Motion for Entry of Default Judgment (FRCivP 55b)

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 90 days after the filing of the complaint. Fed. R. Civ. P 4(m). The Court may dismiss the entire action prior to the expiration of such time, however, if plaintiff has not diligently prosecuted the action.

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, plaintiffs 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 the Court. Local Rule 7-1.

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 plaintiffs is due.

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