Within 30 days of the this Order, Plaintiff shall complete a new service packet for J. Nicholas, B. Sather, and L. Phillips. With this Order, the Clerk of the Court shall send Plaintiff three additional service packets which shall include the amended complaint (currently Doc. #20), this Order, the Order of April 17, 2009 (Doc. #8), a Notice of Submission of Documents form, an instruction sheet, and three summons and USM- 285-forms for Defendants J. Nicholas, B. Sather, and L. Phillips. Plaintiff should not attempt to personally serve these Defendants and must not request a waiver of service; once the Clerk has received the Notice of Submission of Documents and the required documents, the Court will direct the Marshals to attempt service by waiver or personal service. If Plaintiff fails to return a new service packet for any Defendant listed in this paragraph within 30 days, that Defendant will be dismissed, without prejudice, for failure to prosecute and failure to timely serve under Federal Rule of Civil Procedure 41(b) and 4(m).

IT IS FURTHER ORDERED extending the time for Defendant Franklin to respond to the amended complaint until October 19, 2009.

DATED this 1st day of October, 2009.

James A. Teilborg / United States District Judge