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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

J&J SPORTS PRODUCTIONS, INC.,)	Case No.: 1:10-cv-02087 AWI JLT
)	
)	
Plaintiff,)	ORDER CONTINUING SCHEDULING
)	CONFERENCE
v.)	
)	
ARTURO M. FLORES et al,)	
)	
)	
Defendants.)	

This matter was filed on November 9, 2011. (Doc. 1) The next day, the Court issued summonses to the defendants (Doc. 3) and issued its Order Setting Mandatory Scheduling Conference and set the conference on February 23, 2011. (Doc. 4) In the order, the Court admonished Plaintiff that,

The Court is unable to conduct a scheduling conference until defendants have been served with the summons and complaint. Accordingly, plaintiff(s) shall diligently pursue service of summons and complaint and dismiss those defendants against whom plaintiff(s) will not pursue claims. Plaintiff(s) shall promptly file proofs of service of the summons and complaint so the Court has a record of service. Counsel are referred to F.R.Civ.P., Rule 4 regarding the requirement of timely service of the complaint. Failure to timely serve summons and complaint may result in the imposition of sanctions, including the dismissal of unserved defendants.

1 (Doc. 4 at 1-2) Nevertheless, Plaintiff has failed to file proof demonstrating that the defendants
2 have been served the summons and complaint. Moreover, neither defendant has appeared.

3 Because the Court cannot conduct a scheduling conference until the defendant has been
4 served, the Court has no choice but to continue the conference.

5 Therefore the Court **ORDERS**:

- 6 1. The Scheduling Conference currently set on February 23, 2011, will be continued
7 to April 20, 2011 at 10:00 a.m.;
- 8 2. Plaintiff SHALL effect service within 30 days of the date of this order or SHALL
9 apply to the Court for relief from this order and explain why service has not been
10 accomplished;
- 11 3. Plaintiff is ordered to serve a copy of this Order on the defendant.

12
13 IT IS SO ORDERED.

14 Dated: February 15, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE