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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

PACIFIC WEST CONTROLS, INC.,)	1:11cv0549 — DLB
)	
)	
Plaintiff,)	ORDER TO SHOW CAUSE
vs.)	
MARSHALL/DUBAS)	
CONSTRUCTION, INC., et al.,)	
Defendants.)	

On April 1, 2011, Plaintiff filed the present action. The Court issued summonses on April 4, 2011, along with an Order Setting a Mandatory Scheduling Conference that explained the requirements for service. To date, there is no indication that Defendants have been served.¹

Rule 4(m) of the Federal Rules of Civil Procedure requires service of a complaint to be made within 120 days from the date of filing. As the complaint was filed on April 1, 2011, the 120 day time period has expired.

Therefore, Plaintiff is ORDERED to show cause, if any it has, why it has failed to serve the complaint within 120 pursuant to Rule 4(m). Plaintiff is ORDERED to file a written response to this

¹ A Scheduling Conference was set for September 29, 2011, but due to the retirement of the assigned District Court Judge, the conference date was vacated. A Scheduling Conference will be reset, if necessary, after the service issues are addressed.

1 Order to Show Cause within twenty (20) days of receipt of this Order. Failure to comply with this
2 Order will result in a recommendation that this action be dismissed.

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IT IS SO ORDERED.

Dated: October 31, 2011

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE