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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

|                                   |   |                                  |
|-----------------------------------|---|----------------------------------|
| KARAMJIT KAUR,                    | ) | Case No.: 1:14-cv-00839 --- JLT  |
|                                   | ) |                                  |
| Plaintiff,                        | ) | ORDER DISCHARGING ORDER TO SHOW  |
|                                   | ) | CAUSE; ORDER SETTING SCHEDULING  |
| v.                                | ) | CONFERENCE/STATUS CONFERENCE RE: |
|                                   | ) | CONSENT                          |
| UNITED STATES OF AMERICA, et al., | ) |                                  |
|                                   | ) |                                  |
| Defendants.                       | ) | (Doc. 5)                         |
|                                   | ) |                                  |

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On May 30, 2014, Plaintiff filed the instant action. (Doc. 1) On June 3, 2014, the Court issued the summons. (Doc. 2) Plaintiff failed to file a proof of service of the summons and complaint as of August 28, 2014. As a result, on that date, the Court reminded Plaintiff of his obligation to serve the summons and complaint within 120 days of the filing of the complaint as required by Fed. R. Civ. P. 4. When, by November 5, 2014, Plaintiff still had not filed a proof of service of the summons and complaint, the Court issued an order to Plaintiff to show cause why the matter should not be dismissed for his failure to serve the complaint and prosecute the action. (Doc. 5)

In response, on November 18, 2014, Plaintiff filed proof of service showing that the United States had been served on October 30, 2014. (Doc. 7) In addition, Plaintiff filed a motion to dismiss the complaint as to Melvin Rene Lopez. (Doc. 8) Finally, Plaintiff explained that the delay in service was due to a misunderstanding as to whether counsel for the United States would accept service as to Mr. Lopez. (Doc. 6 at 1)

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**ORDER**

Thus, good cause appearing, the Court **ORDERS:**

1. The order to show cause is **DISCHARGED**. No further delays in Plaintiff's prosecution of this action will be permitted;
2. The Court sets the status conference re consent/mandatory scheduling conference on **January 29, 2015** at 9:00 a.m. at the United States Courthouse at 510 19th Street, Bakersfield, CA. The parties **SHALL** comply with the requirements for filing a joint scheduling report as set forth in the Court's June 3, 2014 order setting mandatory scheduling conference. (Doc. 3)

IT IS SO ORDERED.

Dated: November 19, 2014

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE