UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CAROLYN MINER, et al.,	) Case No.: 1:15-cv-00352 --- JLT
Plaintiffs,	)) ORDER DENYING PLAINTIFFS' MOTION FOR
v.	) A 90-DAY EXTENSION OF TIME TO SERVE) PROCESS
BARBARA FERRANTI, et al.,	)) (Doc. 12)
Defendants.	)
	)

On March 5, 2015, Plaintiffs filed the instant action. (Doc. 1) On the July 23, 2015, the Court issued the summonses (Docs. 2-9) and its order setting the mandatory scheduling conference to occur on November 9, 2015. (Doc. 10) Nevertheless, Plaintiff has not filed a proof of service of the summons and complaint and no defendant has appeared in the action. Thus, on October 28, 2015, the Court ordered Plaintiffs to show cause why the matter should not be dismissed for their failure to serve the summons and complaint within a timely manner. (Doc. 11)

Only plaintiff, Carolyn Miner, responded and she provided no explanation for Plaintiffs' failure to effect service on the defendants. (Doc. 12) Rather Ms. Miner seeks 90 additional days to serve process without any showing why Plaintiffs need the extension of time. Id. Notably, Plaintiffs have sued four companies, two lawyers and an individual. The Court has no understanding how there is any problem effecting service on the companies or the lawyers and has no information that service on the individual presents any difficulty. The sole explanation for the request for a 90-day extension is

that "a 60 day extension of time would be in the middle of the holidays, which would be awkward for many . . ." (Doc. 12 at 1) This is insufficient.

Therefore the Court **ORDERS**:

1. **No later than December 14, 2015,** Plaintiffs **SHALL** file proofs of service showing proper service on each of the Defendants. **Failure to do so will result in a recommendation that the matter and/or a party be dismissed for failure to comply with Fed. R. Civ. P. 4(m).**

IT IS SO ORDERED.

Dated: **November 5, 2015**   **/s/ Jennifer L. Thurston**
UNITED STATES MAGISTRATE JUDGE