1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 FREDERICK C. ANDERSON, 11 Case No.: 1:16-cv-00251 LJO JLT 12 Plaintiff, ORDER CONTINUING SCHEDULING **CONFERENCE** 13 v. RIVERWALK HOLDINGS, LTD, et al., 14 15 Defendants. 16 17 On February 23, 2016, Plaintiff filed this action. (Doc. 1) The same day, the Court issued the 18 summonses (Docs. 4, 5) and its order setting the mandatory scheduling conference to occur on 19 February 8, 2016. (Doc. 6) More than a month later on March 30, 2016, Plaintiff filed his first 20 amended complaint. (Doc. 8) Plaintiff is reminded of his obligation to serve the summons and 21 complaint in a timely fashion. Notably, in its order setting the mandatory scheduling conference, the 22 Court advised: The Court is unable to conduct a scheduling conference until defendants have been 23 served with the summons and complaint. Accordingly, plaintiff(s) shall diligently pursue service of summons and complaint and dismiss those defendants against whom 24 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 25 to F.R.Civ.P., Rule 4 regarding the requirement of timely service of the complaint. 26 Failure to timely serve summons and complaint may result in the imposition of sanctions, including the dismissal of unserved defendants. 27

(Doc. 6 at 1-2, emphasis added) Failure to serve the summons and complaint within the time period

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set forth in Fed. R. Civ. P. 4(m) will result in a recommendation that the Court dismiss the unserved defendants. Therefore, the Court **ORDERS**, The scheduling conference, currently set on April 26, 2016, is continued to June 20, 1. 2016 at 9:00 a.m. at the United States Courthouse at 510 19th Street, Bakersfield, CA. Failure to comply with this order may result in the imposition of sanctions, including the dismissal of the action. IT IS SO ORDERED. /s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE Dated: March 31, 2016