UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CAROLYN MINER, et al., Plaintiffs, v. J.P. MORGAN CHASE BANK N.A., Defendants.	Case No.: 1:15-cv-00626 AWI JLT ORDER SETTING A FURTHER SCHEDULING CONFERENCE

On the May 3, 2016, the defendants removed this matter to this Court. (Doc. 1) In the removal, the defendants noted that it had not been served properly in the state action.[1] Id. at 2. From the time of the removal to now, the plaintiff has not properly served the summons and complaint. As a result, though the Court convened the mandatory scheduling conference, it was not able to schedule the case. Thus, the Court **ORDERS**:

1. The Clerk of the Court is **DIRECTED** to issue a summons as to the first amended complaint;

2. **No later than September 9, 2016**, Plaintiff **SHALL** accomplish service of the summons and complaint and file proof of service;

[1] The defendant notes that the plaintiff mailed a copy of the summons and complaint with the Notice and Acknowledgement of Receipt already completed. Without deciding the issue, the Court agrees that this is service does not appear to be proper according to law.

3. A further scheduling conference is set on **November 29, 2016** at 9:30 a.m. at the United States Courthouse at 510 19th Street, Bakersfield, California. Counsel may appear via the CourtCall service.

IT IS SO ORDERED.

Dated: **August 5, 2016**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE