1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 NELSON CAMPBELL, et al., Case No.: 1:20-cv-00901 NONE JLT 12 Plaintiffs. ORDER TO PLAINTIFF TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED FOR 13 v. THE FAILURE TO COMPLY WITH THE COURT'S ORDERS AND TO PROSECUTE THIS 14 FMC TECHNOLOGIES SURFACE ACTION; ORDER CONTINUING SCHEDULING INTEGRATED SVCS, 15 **CONFERENCE** Defendants. 16 the plaintiff initiated this action on June 29, 2020. (Doc. 1) On the same day, the Court issued 17 the summons (Doc. 2) and its order setting the mandatory scheduling conference to occur on 18 19 September 23, 2020. (Doc. 3) In its order setting the mandatory scheduling conference, the Court 20 advised counsel: The Court is unable to conduct a scheduling conference until defendants have been served with 21 the summons and complaint. Accordingly, plaintiff(s) shall diligently pursue service of summons and complaint and dismiss those defendants against whom plaintiff(s) will not 22 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 to F.R.Civ.P., Rule 4 regarding the 23 requirement of timely service of the complaint. Failure to timely serve summons and complaint may result in the imposition of sanctions, including the dismissal of unserved defendants. 24 (Doc. 3 at 1) Despite this, the plaintiffs have not filed proofs of service of the summons and complaint 25 and no defendant has appeared in the action. Therefore, the Court **ORDERS**, 26 1. No later than September 25, 2020, the plaintiffs SHALL show cause why sanctions 27

should not be imposed for the failure to serve the summonses and complaint and file proofs of service.

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1	Alternatively, the plaintiff may file proofs of service;
2	2. Due the failure of the defendant to appear and the lack of proofs of service which
3	would prevent entry of default, the scheduling conference is CONTINUED to October 30, 2020 at
4	8:30 a.m.
5	Plaintiff is reminded of the service obligations under Fed. R. Civ. P. 4. Failure to comply
6	may result in the imposition of sanctions, including the Court sua sponte dismissing unserved
7	defendants.
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9	IT IS SO ORDERED.
10	Dated: September 8, 2020 /s/ Jennifer L. Thurston
11	UNITED STATES MAGISTRATE JUDGE
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