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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

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11 RICHARD HARBUS,

12 Plaintiff,

13 v.

14 LA FAVORITA RADIO NETWORK, INC.,

15 Defendant.

Case No. 1:21-cv-01267-NONE-SAB

ORDER REQUIRING PLAINTIFF TO FILE
STATUS REPORT

FIVE DAY DEADLINE

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17 This action was filed on August 19, 2021. (ECF No. 1.) A summons was issued on
18 August 20, 2021. (ECF No. 2.) An executed summons demonstrating service on the Defendant
19 has yet to be filed in this action, and the deadline to do so has expired. See Fed. R. Civ. P. 4(m)
20 (“If a defendant is not served within 90 days after the complaint is filed, the court--on motion or
21 on its own after notice to the plaintiff--must dismiss the action without prejudice against that
22 defendant or order that service be made within a specified time.”).

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Accordingly, IT IS HEREBY ORDERED that within **five (5) days** of the date of entry of this order, Plaintiff shall file a status report regarding the status of service on Defendant. Plaintiff is advised that failure to comply with this order may result in the issuance of sanctions, as well as a recommendation of dismissal of this action pursuant to Federal Rule of Civil Procedure 4(m).

IT IS SO ORDERED.

Dated: November 19, 2021


UNITED STATES MAGISTRATE JUDGE