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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, for the)
use of OLDCASTLE GLASS, INC.,)
)
Plaintiff,)
)
v.)
)
ARCH INSURANCE COMPANY;)
JMR CONSTRUCTION CORP., a)
corporation d/b/a JMR Construction;))
and HANSON GLASS & MIRROR CO.,)
INC.,)
)
Defendants.)

2:08-cv-03155-GEB-DAD
ORDER CONTINUING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE; FED. R. CIV.
P. 4(m) NOTICE

The parties' Joint Status Report filed on March 20, 2009, reveals this case is not ready to be scheduled. Therefore, the Status (Pretrial Scheduling) Conference set for April 13, 2009, is continued to May 11, 2009, at 9:00 a.m. A further joint status report shall be filed no later than 14 days prior to the May 11, 2009 hearing date.¹

Further, if service of process has not been completed on or before April 22, 2009, Plaintiff shall show cause in a filing by April

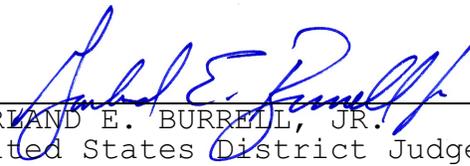
¹ The failure of one or more of the parties to participate in the preparation of the Joint Status Report does not excuse the other parties from their obligation to timely file a status report in accordance with this Order. In the event a party fails to participate as ordered, the party timely submitting the status report shall include a declaration explaining why it was unable to obtain the cooperation of the other party or parties.

1 23, 2009, why any unserved Defendant should not be dismissed without
2 prejudice for Plaintiff's failure to serve pursuant to Rule 4(m)'s
3 120-day time service period.

4 If Plaintiff believes it has good cause justifying extension
5 of Rule 4(m)'s 120-day service period for any unserved Defendant,
6 Plaintiff shall file a declaration in which "good cause" is shown no
7 later than April 23, 2009.

8 IT IS SO ORDERED.

9 Dated: April 9, 2009

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13 GARLAND E. BURRELL, JR.
14 United States District Judge
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