

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAWN ALLGAIER,)	
)	2:09-cv-01126-GEB-DAD
Plaintiff,)	
)	
v.)	<u>ORDER CONTINUING STATUS</u>
)	<u>(PRETRIAL SCHEDULING)</u>
AUTOVILLE OF ROSEVILLE,)	<u>CONFERENCE; FED. R. CIV.</u>
)	<u>P. 4(m) NOTICE</u>
Defendant.)	
_____)	

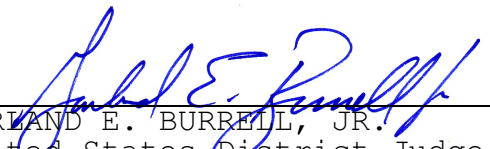
Plaintiff filed a Status Report on August 10, 2009, in which she explains this case is not ready to be scheduled. Therefore, the Status (Pretrial Scheduling) Conference set for August 24, 2009, is continued to October 19, 2009, at 9:00 a.m. A further joint status report shall be filed no later than fourteen days prior to the scheduling conference.¹

Further, Plaintiff is **notified under Rule 4(m)** of the Federal Rules of Civil Procedure **that if defendant is not served with process within the 120 day period prescribed in that Rule defendant**

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 will be dismissed unless Plaintiff provides proof of service and/or
2 "shows good cause for the failure" to serve within this prescribed
3 period in a filing due no later than 4:00 p.m. on August 24, 2009.

4 Dated: August 19, 2009

5
6 
7 _____
8 GARLAND E. BURRELL, JR.
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28