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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSE SOTO and ALICIA SOTO, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
COUNTRYWIDE HOME LOANS, MORTGAGE )  
ELECTRONIC REGISTRATION SYSTEMS, )  
INC., COUNTRYWIDE FULL SPECTRUM )  
LENDING, PETER SCHWARTZ and DOES )  
1-20, inclusive, )  
 )  
Defendants. )  
 )

2:09-cv-01546-GEB-EFB

ORDER CONTINUING STATUS  
(PRETRIAL SCHEDULING)  
CONFERENCE; FED. R. CIV.  
P. 4(m) NOTICE

A Joint Status Report was filed on August 10, 2009, that reveals this case is not ready to be scheduled. Therefore, the Status (Pretrial Scheduling) Conference set for August 24, 2009, is continued to November 2, 2009, at 9:00 a.m. A further joint status report shall be filed no later than fourteen days prior to the hearing.<sup>1</sup>

Further, Plaintiff is **notified under Rule 4(m)** of the Federal Rules of Civil Procedure **that any defendant not served with**

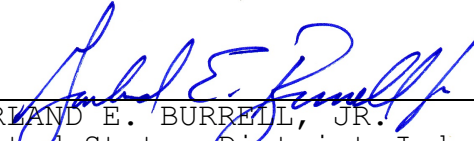
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<sup>1</sup> The failure of one or more of the parties to participate in the preparation of the Joint Status Report does not excuse the other parties from their obligation to timely file a status report in accordance with this Order. In the event a 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 process within the 120 day period prescribed in that Rule will be  
2 dismissed as a defendant in this action unless Plaintiff provides  
3 proof of service and/or "shows good cause for the failure" to serve  
4 within this prescribed period in a filing due no later than 4:00 p.m.  
5 on October 5, 2009.

6 IT IS SO ORDERED.

7 Dated: August 18, 2009

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11 GARLAND E. BURRELL, JR.  
12 United States District Judge  
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