

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

7	WORLDSLIDE, LLC,)	
8	Plaintiff,)	2:12-cv-00872-GEB-CKD
9	v.)	<u>ORDER CONTINUING STATUS</u>
10	BRIAN DUBINSKY and AQUAWOOD,)	<u>(PRETRIAL SCHEDULING)</u>
11	LLC, using trade name TOYQUEST;)	<u>CONFERENCE; FED. R. CIV. P.</u>
12	WAL-MART STORES, INC.;)	<u>4 (M) NOTICE</u>
13	AMAZON.COM, INC.; and TOYS 'R')	
14	US-DELAWARE, INC.,)	
	Defendants.)	

15 Plaintiff states in the Joint Status Report filed August 28,
16 2012 ("JSR"):

17 [Defendant] Brian Dubinsky has evaded service and
18 plaintiff may motion to serve him by publication.
19 [Defendant] AquaWood, Inc.'s agent for service of
20 process has evaded service and plaintiff may motion
21 to serve the corporation by publication. . . . Both
[of] these parties are well aware of this
litigation and have not been prejudiced by the
delay in service.

(JSR 3:16-21.)

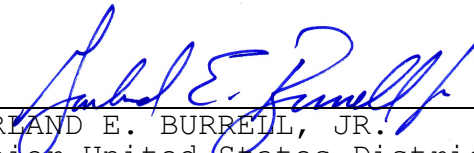
22 In light of Plaintiff's referenced representations, Plaintiff
23 is granted an extension under Federal Rule of Civil Procedure ("Rule")
24 4(m) to effectuate service on Defendants Brian Dubinsky and AquaWood,
25 LLC until and including October 29, 2012. Plaintiff is notified under
26 Rule 4(m) that failure to serve these defendants with process by October
27 29, 2012, may result in the unserved defendant's dismissal for failure
28 of service and/or prosecution. To avoid dismissal, on or before October

1 31, 2012, Plaintiff shall file proof of service or a filing providing
2 sufficient explanation why service was not completed within the extended
3 service period.

4 Further, the Status (Pretrial Scheduling) Conference scheduled
5 for hearing on September 17, 2012, is continued to December 10, 2012, at
6 9:00 a.m. A further joint status report shall be filed no later than
7 fourteen (14) days prior.

8 IT IS SO ORDERED.

9 Dated: September 12, 2012

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13 GARIAND E. BURRELL, JR.
14 Senior United States District Judge
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