

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PHILLIP McINTYRE,

 Plaintiff,

 v.

ALTERNATIVE LOAN TRUST 2006-
OC10; THE BANK OF NEW YORK
MELLON fka THE BANK OF NEW
YORK as TRUSTEE for the
ALTERNATIVE LOAN TRUST 2006-
OC10; and DOES 1-10,

 Defendants.

No. 2:13-cv-1597-TLN-EFB PS

ORDER

This action was initially commenced in the United States District Court for the Southern District of New York and was transferred to this court on July 26, 2013. See ECF No. 3, 4. On August 2, 2013, the undersigned issued an order setting a status (pretrial scheduling) conference in this action for December 4, 2013, and directed the parties to file status reports in advance of that conference. ECF No. 5. As of the date of this order, defendants have not yet appeared in this action and proof of service of the summons and complaint has not been filed. See Rule 4(l), Fed. R. Civ. P. The docket reveals, however, that the summons was not issued by the Clerk until November 1, 2013 and the time for completion of service of process has not yet expired.

1 Therefore, in order to provide adequate time for plaintiff to effect service of process on
2 defendants and permit defendants to appear in this action, the status conference will be continued.

3 Accordingly, it is hereby ORDERED that:

4 1. The December 4, 2013, status conference is continued to February 19, 2014 at 10:00
5 a.m. in Courtroom No. 8.

6 2. No later than February 5, 2014, all parties shall file status reports (or a joint status
7 report), discussing the matters addressed in the court's August 2, 2013 order.

8 3. Plaintiff is directed to serve a copy of this order on all defendants where service of
9 process may be properly effected and to file proof of service of same.

10 DATED: November 25, 2013.

11 
12 EDMUND F. BRENNAN
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28