

United States District Court
For the Northern District of California

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

BOARD OF TRUSTEES OF THE SHEET
METAL WORKERS, et al.,

No. C-09-2310 MMC

Plaintiffs,

**ORDER DISMISSING ACTION WITHOUT
PREJUDICE**

v.

R. G. MUSTAIN HEATING AND AIR
CONDITIONING, a California corporation,

Defendant

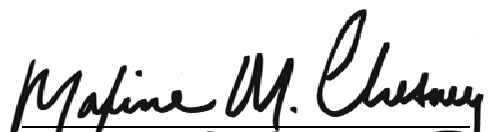
By order filed September 4, 2009, the Court directed plaintiffs to serve defendant no later than October 23, 2009, and to file proof of such service no later than October 30, 2009. Additionally, the Court therein notified plaintiff that, if, as of October 30, 2009, plaintiffs had neither filed proof of such service nor obtained, for good cause shown, a further extension of time to serve defendant, the above-titled action would be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Plaintiffs have neither filed proof of service nor sought an extension of time to serve defendant.

Accordingly, the above-titled action is hereby DISMISSED without prejudice, pursuant to Rule 4(m).

IT IS SO ORDERED.

Dated: November 12, 2009


MAXINE M. CHESNEY
United States District Judge