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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

|                         |   |                           |
|-------------------------|---|---------------------------|
| DARLENE MILLS,          | ) |                           |
|                         | ) |                           |
| Plaintiff(s),           | ) | No. C09-3597 BZ           |
|                         | ) |                           |
| v.                      | ) | <b>ORDER OF DISMISSAL</b> |
|                         | ) |                           |
| WORLD FINANCIAL NETWORK | ) |                           |
| NATIONAL BANK,          | ) |                           |
|                         | ) |                           |
| Defendant(s).           | ) |                           |
| _____                   | ) |                           |

On January 5, 2010 I ordered plaintiff to show cause in writing why she did not attend the case management conference scheduled for January 4, 2010 and why this case should not be dismissed for failure to effect timely service of process under Rule 4(m). A hearing on an Order to Show Cause was scheduled on January 25, 2010. Plaintiff did not attend.

While plaintiff explained her absence at the prior hearing, she has not provided a satisfactory explanation for failing to serve the defendant, and has not sought an extension to do so under Rule 4(m). Nor did she seek to be excused from attending the hearing. Therefore, **IT IS ORDERED** that this action is **DISMISSED** without prejudice for failure to

1 serve timely and for failure to obey this Court's order by  
2 attending the hearing.

3 Dated: January 27, 2010

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5 \_\_\_\_\_  
6 Bernard Zimmerman  
7 United States Magistrate Judge

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