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28IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VII PEAKS CAPITAL LLC,

Plaintiff,

v.

MICHAEL MATTHEW JARMAN,

Defendant.

No. C-14-4426 MMC

**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE;  
DIRECTIONS TO PLAINTIFF**

Before the Court is plaintiff's Case Management Conference Statement, filed January 16, 2015, in which plaintiff states it has not been able to locate defendant, and, consequently, has not effectuated service of the summons and complaint. Plaintiff also states it intends to file a motion to extend the deadline for service.

Under the circumstances, the Court hereby CONTINUES the Case Management Conference from January 23, 2015 to March 27, 2015, at 10:30 a.m. A Joint Case Management Statement shall be filed no later than March 20, 2015.

In the event plaintiff has not served defendant by February 2, 2015,<sup>1</sup> however, plaintiff is hereby DIRECTED to file, no later than February 9, 2015, a statement indicating why the instant action should not be dismissed without prejudice, pursuant to Rule 4(m) of


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<sup>1</sup>The complaint was filed October 2, 2014. In the absence of an order extending the deadline to serve defendant, plaintiff must serve defendant "within 120 days" of October 2, 2014. See Fed. R. Civ. P. 4(m).

1 the Federal Rules of Civil Procedure or, alternatively, a motion to extend the deadline to  
2 serve defendant.

3 **IT IS SO ORDERED.**

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5 Dated: January 21, 2015

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7 MAXINE M. CHESNEY  
8 United States District Judge

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