

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
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JIM HURD, ET AL.,
Plaintiffs,
v.
UNITED STATES OF AMERICA,
Defendant.

Case No.17-cv-00060-JST

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE;
ORDER TO SHOW CAUSE**

This case is set for an initial case management conference on March 29, 2017 at 2:00 p.m. Because the complaint has not yet been served, the Court CONTINUES that conference to April 26, 2017 at 2:00 p.m. A case management statement is due on April 17, 2017.

By that time, more than 90 days will have elapsed since the filing of the complaint. ECF No. 1. Rule 4(m) of the Federal Rules of Civil Procedure provides in part,

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

If the complaint in this case has not been served by April 5, 2017, as demonstrated by a proof of service filed by April 12, 2017, then Plaintiffs, and each of them, are ORDERED TO SHOW CAUSE why this case should not be dismissed without prejudice.

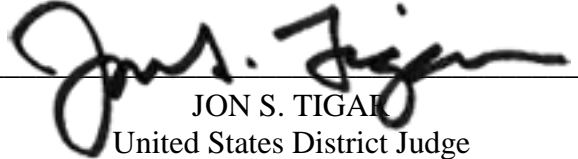
///
///
///
///
///

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

A written response to this Order to Show Cause is due April 17, 2017. If good cause is not shown, or no response is filed, the Court will dismiss the action without prejudice.

IT IS SO ORDERED.

Dated: March 23, 2017



JON S. TIGAI
United States District Judge