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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALBERT DYTCH,

No. C-10-04428 DMR

Plaintiff,

**ORDER EXTENDING TIME TO
COMPLETE SERVICE**

v.

IVY LO, et al.,

Defendants.

Pursuant to General Order 56 and the scheduling order in this case, November 29, 2010 was the last day for Plaintiff to complete service of the complaint and summons on Defendants or to file a Motion for Administrative Relief from the deadline pursuant to Civil L.R. 7-11. *See* Docket No. 3. On January 3, 2011, Plaintiff filed a Status Report in which he indicated that service had not yet been completed. *See* Docket No. 5. On January 6, 2011, the Court issued an Order to Show Cause in which the Court ordered Plaintiff to file a letter with the Court explaining why this matter should not be dismissed for failure to comply with the November 29, 2010 deadline. *See* Docket No. 6.

The Court is in receipt of Plaintiff's response to its Order to Show Cause. *See* Docket No. 7. In Plaintiff's letter, Plaintiff provides no explanation regarding his failure to comply with the November 29, 2010 deadline to complete service on Defendants or file a Motion for Administrative Relief. The Court is aware that Plaintiff's counsel has filed many ADA cases in this Court, and is therefore well aware of the deadlines that apply to ADA cases as set forth in General Order 56.

1 Notwithstanding Plaintiff's failure to comply with the November 29, 2010 deadline, the Court shall
2 not dismiss this matter at this time. The Court is not aware of a pattern of similar behavior by
3 Plaintiff's counsel. Also, the Court likely would have granted additional time for service had
4 Plaintiff made a timely and proper request pursuant to General Order 56 and Civil L.R. 7-11 before
5 the November 29, 2010 deadline. For these reasons, Plaintiff is hereby granted until **January 21,**
6 **2011** to complete service.

7 IT IS SO ORDERED.

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9 Dated: January 7, 2011

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DONNA M. RYU
United States Magistrate Judge