

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

3
4 ALLSTATE INSURANCE COMPANY,

No. C 11-3511 CW

5 Plaintiff,

ORDER REGARDING
SERVICE OF
PROCESS, REQUIRING
PROOF OF TIMELY
SERVICE AND
CONTINUING CASE
MANAGEMENT
CONFERENCE

6 v.

7 ANDREW PIRA, RICHARD PIRA and
8 ALEXANDER YIN,

9 Defendants.

10 _____/

11 On July 18, 2011, Plaintiff Allstate Insurance Company filed
12 this action against Defendants Andrew Pira, Richard Pira and
13 Alexander Yin. Plaintiff served Andrew Pira and Richard Pira,
14 both of whom failed to respond to the complaint within the time
15 period specified by Federal Rule of Civil Procedure 12(a)(1)(A).
16 Following requests from Plaintiff, the Clerk of the Court entered
17 defaults pursuant to Federal Rule of Civil Procedure 55(a) against
18 Andrew Pira on September 9, 2011 and Richard Pira on October 14,
19 2011.

20 Plaintiff has not yet filed proof of service of process on
21 Alexander Yin. Under Federal Rule of Civil Procedure 4(m),
22 service of process on this Defendant must be perfected by November
23 15, 2011.

24 By November 18, 2011, Plaintiff shall file proof that
25 Plaintiff served Defendants within the 120-day period required by
26 Rule 4(m). Alternatively, by November 18, 2011, Plaintiff may
27 file a motion to extend time for service, so long as Plaintiff can
28

1 demonstrate good cause. Plaintiff's failure to comply with this
2 Order will result in the dismissal of Plaintiff's claim against
3 this Defendant for failure to prosecute.

4 The case management conference set for October 25, 2011 is
5 continued to January 18, 2012 at 2:00 p.m.

6 IT IS SO ORDERED.

7
8 Dated: 10/24/2011


CLAUDIA WILKEN
United States District Judge

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28