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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANNA KIHAGI, et al.,
Plaintiffs,
v.
CITY OF SAN FRANCISCO,
CALIFORNIA, et al.,
Defendants.

Case No. 15-cv-01168-KAW
ORDER TO SHOW CAUSE

United States District Court
Northern District of California

On March 12, 2015, Plaintiffs Anna Kihagi, Xelan Prop 1, LLC, Renka Prop, LLC, and Zoriall LLC commenced the above-captioned case against the City of San Francisco and city employees Victoria L. Weatherford and Michael Weiss. Plaintiffs filed an amended complaint on May 18, 2015. In the amended complaint, the City and four city employees, Victoria L. Weatherford, Michael Weiss, Tony Pelea, and Maricio Hernandez, are named as Defendants.

On June 30, 2015, the City filed a motion to stay the action pending resolution of parallel state court proceedings. The Court has twice continued the hearing on the motion because the individual defendants have not been served in the case. As of the filing of this order, Plaintiffs have not filed a certificate of service showing that the individual defendants have been served.

Federal Rule of Civil Procedure 4(m) provides that "[i]f a defendant is not served 120 days after the complaint is filed, the court . . . must dismiss the action without prejudice against the defendant" As that 120-day period has elapsed without Plaintiffs filing a certificate of service showing that the individual defendants have been served, the Court hereby orders Plaintiffs to show cause why the Court should not dismiss this case as against the individual defendants pursuant to Federal Rule of Civil Procedure 4(m). Plaintiff shall file a written response to this order to show cause within 14 days. The motion hearing currently set for December 3, 2015 is

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CONTINUED to January 21, 2016 pending resolution of these service issues.

IT IS SO ORDERED.

Dated: 11/24/15


KANDIS A. WESTMORE
United States Magistrate Judge