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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**TYRUS MAHAFFERY,**  
Plaintiff,  
  
v.  
**AFS INTERNATIONAL LLC,**  
Defendant.

Case No. 16-cv-01273-YGR

**ORDER TO SHOW CAUSE RE: FAILURE TO SERVE; SETTING COMPLIANCE; AND SETTING CASE MANAGEMENT CONFERENCE**

**TO PLAINTIFF’S COUNSEL OF RECORD:**

You are hereby **ORDERED TO SHOW CAUSE** why this action should not be dismissed for failure to prosecute and to follow the Federal Rules of Civil Procedure and this Court’s Civil Local Rules.

Plaintiff filed the present lawsuit on March 15, 2016. Plaintiff has not yet filed proof of service upon defendant AFS International LLC. Pursuant to Federal Rule of Civil Procedure 4(m), plaintiff was required to serve Defendant with a summons and complaint within 90 days from the date the lawsuit was filed, or June 13, 2016.

The Court **SETS** a compliance hearing for **July 8, 2016**, on the **9:01 a.m.** calendar, United States Courthouse, 1301 Clay Street, Oakland, California, in Courtroom 1. No later than **July 1, 2016**, plaintiff must file either: (i) proof of service of the complaint upon defendant; or (ii) a motion for additional time in which to serve defendant, explaining good cause reasons for failure to serve defendant within the required time.

If plaintiff fails to comply with this order timely, the Court may dismiss this action for failure to prosecute. If plaintiff files the information timely, the Court may vacate the compliance

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hearing and no personal appearance will be required.


The Court **SETS** the initial case management conference for **Monday, July 25, 2016**, at **2:00 p.m.** at the United States District Court, 1301 Clay Street, Oakland, in Courtroom 1.

The parties shall file a joint case management conference statement no later than **July 18, 2016**. The statement must include all elements requested in the “Standing Order for All Judges of the Northern District of California – Contents of Joint Case Management Statement.”

As set forth in the Court’s Standing Order in Civil Cases, these conferences are intended to be substantive and productive. Accordingly, each party shall be represented at the Case Management Conference by counsel with authority to enter into stipulations and make admissions pursuant to Fed. R. Civ. P. 16(a) and (c), as well as fully prepared to address all of the matters referred to in the CAND CMC Order and Civil L.R. 16-10(b). Failure to do so may result in sanctions.

**IT IS SO ORDERED.**

Dated: June 17, 2016

  
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**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**