

1 Defendants Gavin, Odell, and Wyant, and a notice of voluntary dismissal as to Defendant Jackman,
2 no later than March 31, 2011.

3 The Court notes, in addition, that the remaining Defendants Simon and Patron do not
4 appear to have been served. Federal Rule of Civil Procedure 4(m) provides that “[i]f a defendant is
5 not served within 120 days after the complaint is filed, the court . . . must dismiss the action
6 without prejudice against that defendant or order that service be made within a specified time.”
7 The 120-day period to serve these Defendants has expired. Accordingly, if Plaintiff wishes to
8 pursue this action against them, it must file a request for an extension of the time for service.
9 Alternatively, Plaintiff may voluntarily dismiss these Defendants without prejudice. If Plaintiff
10 takes no action regarding these Defendants within 30 days of this Order, the Court will dismiss
11 them without prejudice pursuant to Rule 4(m).

12 **IT IS SO ORDERED.**

14 Dated: March 10, 2011

13 
15 _____
16 LUCY H. KOH
17 United States District Judge