Google, Inc. et a	v. Jackman et al
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8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	SAN JOSE DIVISION	
11	GOOGLE INC., a Delaware corporation,) Case No.: 10-CV-04264-LHK
12	Plaintiff, v.	 ORDER CONTINUING CASE MANAGEMENT CONFERENCE AND
13	OMAR JACKMAN, an individual; JOHN) SETTING DEADLINES
14	DOE "SIMON," an individual; GREGORY GAVIN, an individual; AMANDA	
15	ODELL, an individual; JOEY PATRON, an individual; GINA WYANT, an)
16	individual; DOES 6-50, individuals,)
17	Defendants.)
18		_)
19	On December 17, 2011, the Court, upon Plaintiff Google Inc.'s motion, continued the initial	
20	Case Management Conference in this action to March 16, 2011. Plaintiff now seeks a second	
21	continuance on grounds that the Clerk has entered default against Defendants Gavin, Odell, and	
22	Wyant, and Plaintiff has reached an agreement in principle to settle the claims against Defendant	
23	Jackman. Plaintiff represents that it will file motions for entry of default judgment and	
24	documentation of the settlement with Defendant Jackman in the coming days. Based on this	
25	information, the Court agrees that a continuance of the Case Management Conference is	
26	appropriate. Accordingly, the Case Management Conference set for March 16, 2011 is hereby	
27	CONTINUED to May 18, 2011 at 2 p.m. Plaintiff shall file motions for default judgment against	
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	Case No.: 10-CV-04264-LHK ORDER CONTINUING CASE MANAGEMENT CONF	1 ERENCE AND SETTING DEADLINES

United States District Court For the Northern District of California United States District Court For the Northern District of California Defendants Gavin, Odell, and Wyant, and a notice of voluntary dismissal as to Defendant Jackman, no later than March 31, 2011.

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

IT IS SO ORDERED.

Dated: March 10, 2011

Case No.: 10-CV-04264-LHK

Jucy H. Koh

LUCY H. KO United States District Judge