

1 NDEX has not appeared in this case. Plaintiff has not filed any documents indicating that
2 she has effected service of process upon NDEX, although her time to do so has expired. *See Fed.*
3 *R. Civ. P. 4(m)* (defendant must be served within 120 days after complaint is filed).
4 Accordingly, the action will be dismissed without prejudice as to NDEX. *See id.*

5 **ORDER**

- 6 (1) The action is dismissed with prejudice as to Defendant World;
7 (2) The action is dismissed without prejudice as to Defendant NDEX; and
8 (3) The Clerk of the Court shall close the file.
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13 DATED: March 7, 2011

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15 JEREMY FOGEL
16 United States District Judge
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