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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AMELIA J. TOJINO,
Plaintiff,
v.
JP MORGAN CHASE BANK, N.A., et
al.,
Defendants.

Case No.: C 11-00045 PSG

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE AND
SETTING DEADLINE TO CONSENT
OR TO REQUEST REASSIGNMENT**

A case management conference is scheduled to be held on April 5, 2011. The parties were required to file a case management statement by March 29, 2011.¹ The parties were also required either to consent to proceed before a magistrate judge or to request reassignment to a district judge.² No case management statement was filed and none of the parties have either consented or declined to proceed before a magistrate judge. A review of the docket does not indicate that any defendant has been served yet.

Pursuant to Fed. R. Civ. P. 4(m), if a defendant is not served within 120 days after the complaint is filed, the court must dismiss the action unless the plaintiff shows good cause for the failure. Plaintiff filed the Complaint on January 5, 2011. Thus, Defendants must be served by

¹ See 1/5/2011 ADR Scheduling Order (requiring that a case management statement be submitted no later than March 29, 2011).

² See Civ. L.R. 73-1(a)(1).

1 May 5, 2011.

2 IT IS HEREBY ORDERED that no later than April 5, 2011, Plaintiff and any Defendants
3 who have appeared shall file either a "Consent to Proceed Before a United States Magistrate
4 Judge," or else a "Declination to Proceed Before a United States Magistrate Judge and Request
5 for Reassignment." Both forms are available from the clerk of the court, or from the Forms
6 (Civil) section of the court's website at www.cand.uscourts.gov.

7 IT IS FURTHER ORDERED that the case management conference is continued to May
8 17, 2011 at 2 p.m.

9 IT IS FURTHER ORDERED that no later than May 10, 2011, the parties shall file a joint
10 case management statement. If Defendants have not been served, Plaintiff must file a case
11 management statement showing any good cause that exists for the failure to serve.

12 Dated: March 30, 2011

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14 PAUL S. GREWAL
15 United States Magistrate Judge
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