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28**\*E-Filed: October 21, 2014\***

NOT FOR CITATION  
 IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

WEBPASS INC.,

No. C14-02291 HRL

Plaintiff,

**ORDER CONTINUING HEARING ON  
 MOTION FOR ORDER  
 AUTHORIZING SERVICE OF  
 SUMMONS AND COMPLAINT BY  
 PUBLICATION TO DECEMBER 16,  
 2014**

v.

AFTAB BANTH; et al.,

Defendants.

**ORDER GRANTING EXTENSION OF  
 TIME IN WHICH TO COMPLETE  
 SERVICE**

**ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE TO  
 FEBRUARY 24, 2015**

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A hearing on Plaintiff's motion for an order authorizing service of summons and complaint by publication, Dkt. No. 10, was held on October 21, 2014. For the reasons stated at the hearing, the hearing is continued to December 16, 2014, at 10:00 a.m. Plaintiff may file an application for limited early discovery to determine Defendants' locations.

Plaintiff requests an extension of time in which to complete service. Federal Rule of Civil Procedure 4(m) requires a plaintiff to serve a defendant within 120 days after filing the complaint. If a plaintiff shows good cause for the failure to serve, however, the Court must extend the time for service. Fed. R. Civ. P. 4(m). Good cause exists where the plaintiff has attempted to serve a

1 defendant, was confused about the requirements for service of process, or was prevented from  
2 serving a defendant because of events outside of its control. *See Wei v. State of Hawaii*, 763 F.2d  
3 370, 372 (9th Cir.1985). Good cause exists here, as Plaintiff has made several attempts to serve  
4 Defendants. Plaintiff is granted until January 20, 2015 to complete service of process on  
5 Defendants.

6 The case management conference, currently set for December 23, 2014, is continued to  
7 February 24, 2015, at 1:30 p.m.

8 **IT IS SO ORDERED.**

9 Dated: October 21, 2014



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10 HOWARD R. LLOYD  
11 UNITED STATES MAGISTRATE JUDGE  
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