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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CHRISTINA SERNA,  
Plaintiff,  
v.  
EXPERIAN INFORMATION SOLUTIONS,  
INC., et al.,  
Defendants.

Case No. [5:15-cv-03856-EJD](#)  
**ORDER TO SHOW CAUSE**

On August 4, 2015, Plaintiff Christina Serna (“Plaintiff”) filed the Complaint underlying this action. To date, however, the docket does not contain a proof of service or waiver of service for Defendant Collection Management Systems (“CMS”), and CMS has not appeared in this action.

The then-effective version of Rule 4(m) of the Federal Rules of Civil Procedure provided in pertinent part:

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

The 120-day period for service provided by Rule 4(m) expired on December 2, 2015. Accordingly, the court issues the instant Order to Show Cause (“OSC”) requiring that Plaintiff, no

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later than **December 18, 2015**, either: (1) file documents to show proof of service of the Summons and Complaint on CMS; or (2) explain in writing why service has not been accomplished. No hearing will be held on the order to show cause unless otherwise ordered by the court.

**IT IS SO ORDERED.**

Dated: December 11, 2015

  
EDWARD J. DAVILA  
United States District Judge