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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VICTORIA BIGGS,
Plaintiff,
v.
EXPERIAN INFORMATION SOLUTIONS,
INC., et al.,
Defendants.

Case No. [5:16-cv-01507-EJD](#)
ORDER TO SHOW CAUSE

On March 28, 2016, Plaintiff Victoria Biggs (“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 Tidewater Finance Company (“Tidewater”), and Tidewater has not appeared in this action.

Rule 4(m) of the Federal Rules of Civil Procedure provides in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The 90-day period for service provided by Rule 4(m) expired on June 27, 2016. Accordingly, the court issues the instant Order to Show Cause why Tidewater should not be dismissed without prejudice for lack of service. If Plaintiff does not, no later than **August 19, 2016**, either: (1) file documents to show proof of service of the Summons and Complaint on Tidewater; or (2) explain in writing why service has not been accomplished, the court will so order.

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No hearing will be held on the order to show cause unless otherwise ordered by the court.

IT IS SO ORDERED.

Dated: August 15, 2016


EDWARD J. DAVILA
United States District Judge