

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH KAFKA, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

Case No: 2:14-cv-197-FtM-38DNF

LIBERTY TRADING GROUP, INC.,  
JAMES CORDIER, and MICHAEL  
GROSS,

Defendants.

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**ORDER**<sup>1</sup>

This matter comes before the Court on Plaintiff Joseph Kafka's Response to Order to Show Cause ([Doc. #7](#)) filed on September 8, 2014. Plaintiff filed the Complaint ([Doc. #1](#)) against Defendants Liberty Trading Group, Inc., James Cordier, and Michael Gross on April 7, 2014. (Doc. #5). The Summons was then issued on April 24, 2014. (Doc. #5). When Plaintiff did not file a return of service within 120 days of filing the Complaint, the Court ordered Plaintiff to show cause why the Complaint should not be dismissed for failure to effectuate service of process on Defendants in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. ([Doc. #6](#)).

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Plaintiff filed the instant response on September 8, 2014. In it, Plaintiff states it unsuccessfully attempted to serve the named Defendants and an employee of Defendant Liberty Trading Group, Inc. on several occasions between June 30, 2014, and August 27, 2014. ([Doc. #7 at ¶¶ 3-8](#); [Doc. #7-1 at ¶¶ 2, 4-15](#)). Sometime in August 2014, Plaintiff also contacted an attorney who had represented Defendant Liberty Trading, and the attorney has agreed to accept service for Defendant Liberty Trading. ([Doc. #7 at ¶ 9](#)). Consequently, Plaintiff now requests that the Court grant it a sixty-day (60) extension of time to serve Defendants.

Upon review of the matter, the Court finds good cause for Plaintiff's inability to effectuate service within 120 days of filing the Complaint. The Court, therefore, will extend the time for service for a period of sixty (60) days.

Accordingly, it is now

**ORDERED:**

Plaintiff Joseph Kafka's Response to Order to Show Cause ([Doc. #7](#)) is **GRANTED**. Plaintiff shall have up to and including **November 10, 2014**, to serve Defendants Liberty Trading Group, Inc., James Cordier, and Michael Gross in a manner consistent with the Federal Rules of Civil Procedure

**DONE** and **ORDERED** in Fort Myers, Florida this 9th day of September, 2014.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record