

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SCOTLYNN USA DIVISION, INC.,

Plaintiff,

v.

Case No: 2:15-cv-152-FtM-38CM

COLD GROUND TRANSPORT,
LLC and AMATHIM THIAM,

Defendants.

ORDER

Before the Court is Plaintiff Scotlynn USA Division, Inc.'s Verified Motion to Enlarge Time for Service of Process under F.R.C.P. 4(m) (Doc. 9), filed on July 29, 2015. Plaintiff filed its Complaint in this matter on March 10, 2015. Doc. 1. Under the Federal Rules of Civil Procedure, Plaintiff therefore was required to serve Defendants on or before July 8, 2015. Fed. R. Civ. P. 4(m). If a plaintiff demonstrates good cause for failure to serve defendants within the 120 days prescribed by the Federal Rules, however, "the court must extend the time for service for an appropriate period." *Id.* Here, Plaintiff requests an extension of the time for effectuating service of process by an additional 120 days, and details the efforts undertaken by Plaintiff and two process servers to timely serve Defendants, who are located in North Carolina.

Upon review of the motion, the Court finds that Plaintiff has diligently attempted to timely serve Defendants and has demonstrated good cause for its failure to do so. The Court therefore will grant the motion and extend the time for service.

ACCORDINGLY, it is hereby

ORDERED:

Plaintiff Scotlynn USA Division, Inc.'s Verified Motion to Enlarge Time for Service of Process under F.R.C.P. 4(m) (Doc. 9) is **GRANTED**. Plaintiff shall have an additional 120 days, up to and including **November 5, 2015**, during which to effectuate service of process.

DONE and **ORDERED** in Fort Myers, Florida on this 30th day of July, 2015.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record