

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SCOTLYNN USA DIVISION, INC.,

Plaintiff,

v.

Case No: 2:16-cv-606-FtM-99CM

Z TOP LOGISTICS, INC. and
LYUBOV MARYNOVA,

Defendants.

ORDER

This matter comes before the Court upon review of Plaintiff's Verified Motion to Enlarge Time for Service of Process Under F.R.C.P. 4(M) (Doc. 11) filed on November 11, 2016. Under the Federal Rules of Civil Procedure, Plaintiff was required to serve Defendants on or before November 1, 2016. Fed. R. Civ. P. 4(m). Plaintiff now seeks an additional ninety days to effect service of process on Defendant Lyubov Marynova. Doc. 11 at 3. Plaintiff details the efforts of its process server to serve Defendant Marynova since August 8, 2016. *Id.* at 2. Its process server, however, discovered that Defendant Marynova is out of the country and is expected to be gone for several months. *Id.* Plaintiff's counsel communicated with counsel for Defendant Z Top Logistics Inc., who informed Plaintiff that Defendant Marynova is in Ukraine and not expected to return until the end of November. *Id.*

Upon review of the motion, the Court finds that Plaintiff has diligently attempted to timely serve Defendant Marynova 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:

Verified Motion to Enlarge Time for Service of Process Under F.R.C.P. 4(M) (Doc. 11) is **GRANTED**. Plaintiff shall have up to and including **January 30, 2017**, during which to effect service of process.

DONE and **ORDERED** in Fort Myers, Florida on this 15th day of November, 2016.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record