

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

THE BARTRAM, LLC,

Plaintiff,

v.

CASE NO. 1:09-cv-254-SPM-GRJ

C.B. CONTRACTORS, LLC, and
CAMBRIDGE BUILDERS
& CONTRACTORS, LLC,

Defendants.

_____ /

C.B. CONTRACTORS, LLC,

Third-Party Plaintiff,

v.

DUFFIELD ALUMINUM d/b/a
DHI ROOFING, at al.,

Third-Party Defendants.

_____ /

ORDER

Pending before the Court is Third Party Defendant/Fourth Party Plaintiff Lowry Construction & Framing, Inc.'s ("Lowry") Amended Motion For Enlargement Of Time To Perfect Service Of Process. (Doc. 243.) Lowry requests an additional ninety (90) days to perfect service of process because it has been unable to locate and serve East Coast Construction, LLC, Galanes Construction, Inc., Rose Construction, Inc., and ZM Construction, Inc. (Collectively, the "Fourth Party Defendants"). According to Lowry, it has been unable to locate the Fourth Party Defendants because most of them are no

longer in business.

Although service upon entities that are no longer operating seems like a useless exercise, because Lowry represents that it has made diligent effort to perfect service on the Fourth Party Defendants, the Court will grant Lowry's request for a further ninety (90) day extension. No further extensions, however, will be granted absent exigent circumstances and a showing of a compelling reason to extend the time to serve entities which are no longer in business.

Accordingly, upon due consideration, is it **ORDERED** that:

- (1) Third Party Defendant/Fourth Party Plaintiff Lowry Construction & Framing, Inc.'s Amended Motion For Enlargement Of Time To Perfect Service Of Process (Doc. 243) is **GRANTED**.
- (2) The deadline to perfect service upon East Coast Construction, LLC, Galanes Construction, Inc., Rose Construction, Inc., and ZM Construction, Inc. is extended to **September 13, 2011**.

DONE AND ORDERED this 17th day of May, 2011.

s/ Gary R. Jones
GARY R. JONES
United States Magistrate Judge