UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

HON. PATRICK J. DUGGAN CIVIL NO.08-13850

CRUNCHKINS, INC.,

Plaintiff(s),

-V-

HALLBARK GOURMET, LLC, Defendant(s).

ORDER OF DISMISSAL

At a session of said Court, held in the United States Courthouse, in the City of Detroit, State of Michigan, on January 7, 2009.

PRESENT: THE HONORABLE PATRICK J.DUGGAN UNITED STATES DISTRICT JUDGE

Due notice of an Order to Show Cause why the above case should not be

dismissed for failure to serve defendant(s) within 120 days of the filing of the complaint,

pursuant to the provisions of Rule 4(m) of the Federal Rules of Civil Procedure, has

been mailed to counsel of record. The Court has received no response; therefore

IT IS HEREBY ORDERED that the above-entitled case be, and hereby is

DISMISSED for failure to serve.

<u>s/Patrick J. Duggan</u> Patrick J. Duggan United States District Judge

Dated: January 7, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 7, 2009, by electronic and/or ordinary mail.

<u>s/Marilyn Orem</u> Case Manager