

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CONTINENTAL WESTERN )  
INSURANCE COMPANY, an Iowa )  
Corporation, as subrogee of JRP Farms, )  
Inc., )

Plaintiff, )

V. )

ROAD BUILDERS MACHINERY & )  
SUPPLY COMPANY, a Kansas )  
Corporation, KOMATSU AMERICA )  
CORPORATION, a Georgia )  
corporation, and KOMATSU, LTD., a )  
foreign corporation, )

Defendants. )

4:10CV3018

ORDER

This matter is before the court on its own motion. The court file discloses that the complaint in this matter was filed on February 1, 2010, but there is nothing of record indicating the defendants were served, and neither defendant has entered an appearance.

IT THEREFORE IS ORDERED that Plaintiff is given twenty days to show cause, why this case should not be dismissed for failure to comply with Fed. R. Civ. P. 4(m), and/or want of prosecution.

DATED this 3<sup>rd</sup> day of June, 2010.

BY THE COURT:

S/ Cheryl R. Zwart

United States Magistrate Judge