

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**LAMBERT VET SUPPLY, LLC,**

**Plaintiff,**

**vs.**

**CHRIS MARTIN; CHRIS MARTIN,  
d/b/a Rapid Falls Vet;  
FCE, INC.; and FEED BARN, INC.,**

**Defendants.**

**4:14CV3129**

**ORDER**

This matter comes before the court after a review of the court file and pursuant to NECivR 41.2, which states in pertinent part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.” In this case the complaint was filed on June 4, 2014. **See** Filing No. 1. On June 20, 2016, the assigned magistrate judge recommended default be entered against each of the defendants based on their failures to comply with court orders. **See** Filing No. 53. None of the defendants responded to the recommendation and, on July 19, 2016, the court entered an order directing the Clerk of Court to enter default against these defendants. **See** Filing No. 55. The plaintiff has taken no other action against the defendants. It remains the plaintiff’s duty to go forward in prosecuting the case against the defendants. The plaintiff may, for example, file a motion for default judgment pursuant to Fed. R. Civ. P. 55(b) and NECivR 55.1 or voluntarily dismiss some or all of the defendants, as appropriate. Under the circumstances, the plaintiff must make a showing of good cause for failure to prosecute the defendants or the action must be dismissed. Accordingly,

**IT IS ORDERED:**

The plaintiff has until the close of business on **September 16, 2016**, to show cause why this case should not be dismissed as against the defendants for failure to prosecute or take some other appropriate action.

Dated this 1st day of September, 2016.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge