

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

LISA C. TYLER, )  
Plaintiff, ) 8:08CV496  
vs. ) ORDER  
CACV OF COLORADO, LLC, and )  
P. SCOTT LOWERY, PC, )  
Defendants. )

This matter is before the court on the plaintiff's response ([Filing No. 9](#)) to the court's March 9, 2009, order to show cause ([Filing No. 6](#)). The court's order required the plaintiff to show cause why the case should not be dismissed for failure to serve the defendants in accordance with [Fed. R. Civ. P. 4\(m\)](#). The plaintiff shows the defendants were served in November of 2008. **See** Filing Nos. [7](#) and [8](#). However, the plaintiff states the parties are attempting to settle this matter in connection with a related arbitration. The plaintiff seeks a thirty-day stay of activity.

The court finds the plaintiff has shown good cause to allow the parties an opportunity to settle this matter without incurring additional and unnecessary costs. However, after the brief stay it remains the plaintiff's duty to go forward in prosecuting the case by, for example, filing a motion for clerk's entry of default. Accordingly,

**IT IS ORDERED:**

**On or before April 23, 2009**, the plaintiff shall take appropriate action against the defendants, voluntarily dismiss the case, or show cause why this case should not be dismissed for failure to prosecute.

Dated this 23rd day of March, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge