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6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 **KHALID HASAN KHAN,**
 9 **Plaintiff,**
 10 **v.**
 11 **CAROLYN W. COLVIN, Acting**
 12 **Commissioner, United States**
 13 **Social Security Administration,**
 14 **Defendant.**

Case No. 2:13-cv-1173-GMN-PAL

15 **PLAINTIFF'S MOTION FOR EXTENSION OF TIME**
 16 **TO EFFECT SERVICE OF COMPLAINT AND SUMMONS**

17 **(First Request)**

18 Pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff, Khalid Hasan Khan,
 19 respectfully requests that the Court extend the date for effecting service and filing proof
 20 thereof by 12 additional days or until November 12, 2013. Presently, service and proof
 21 of service are due on October 31, 2013.

22 In support of this motion, Plaintiff relies upon the memorandum of points and
 23 authorities set forth below.

24 . . .
 25 . . .
 26 . . .

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Federal Rule of Civil Procedure 4(m) provides that a defendant, within 120-days
3 of the filing of a complaint initiating a civil action, be served with a copy of the complaint
4 and summons. However, the rule further provides that a Court may extend this
5 deadline for an appropriate period based upon a showing of "good cause."

6 In this case, Mr. Khan's Complaint was filed on July 3, 2013. The 120-day
7 period for service of the Complaint, as required by Federal Rule of Civil Procedure
8 4(m), expires on October 31, 2013. Mr. Khan would have effected service earlier
9 except Defendant made an appearance in this case on September 11, 2013.

10 Subsequently, the parties engaged in discussions exploring the possibility of resolving
11 this case. To that end, undersigned counsel agreed to another extension of time for
12 Defendant to file an Answer. Defendant filed a second extension request on October
13 25, 2013. The additional time will permit Defendant to compile agency records that will
14 hopefully lead to resolution of this case.

15 In light of the foregoing, specifically the discussion concerning resolution of this
16 case, good cause exists to extend Plaintiff's time for effecting service of the Complaint
17 to and until November 12, 2013. Plaintiff respectfully requests that the Court grant this
18 request.

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24 . . .

25 . . .

1 **CONCLUSION**

2 For the reasons set forth above, Plaintiff respectfully requests that the Court
3 grant this motion.

4 Respectfully submitted,

5 */s/ Paul S. Padda*

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14 Dated: October 31, 2013

15 **IT IS SO ORDERED:**

16 **Plaintiff's time to effect service of the complaint,**
17 **as required by Federal Rule of Civil Procedure**
18 **4(m), is hereby extended by 12-days or until**
19 **November 12, 2013. On or before that date,**
20 **Plaintiff shall file proof of service.**

21 
22 **UNITED STATES MAGISTRATE JUDGE**

23 **Dated: November 5th, 2013**

24 **CERTIFICATE OF SERVICE**

25 In compliance with the Court's Local Rules, the undersigned hereby certifies that
26 on October 31, 2013, a copy of the foregoing document, "PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO EFFECT SERVICE OF COMPLAINT AND SUMMONS" was
served (via the Court's CM/ECF system) upon counsel of record for Defendant.

/s/ Paul S. Padda

Paul S. Padda, Esq.