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

9 **SARAH HUGHES,**

10 **Plaintiff,**

11 **v.**

12 **GREAT CLIPS, INC., a Foreign**
 13 **Corporation; BRANDEE CHAMBERS,**
 14 **Individually,**

15 **Defendants.**

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)
) **Case No.: 2:15-cv-00714-GMN-VCF**
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16 **PLAINTIFF’S MOTION TO EXTEND DEADLINE FOR SERVING**
 17 **COMPLAINT UPON DEFENDANT BRANDEE CHAMBERS**
 (FIRST REQUEST)

18 Pursuant to Federal Rule of Civil Procedure (“FRCP”) 6(b)(1)(B), Plaintiff respectfully
 19 requests that the Court extend by 60-days, or until October 16, 2015, the time within which
 20 Plaintiff must serve the Complaint (Pacer #1) upon Defendant Brandee Chambers. Proof of
 21 service was required to be filed with the Court on August 15, 2015 (Saturday). Plaintiff has
 22 already effected timely service upon all other Defendants in this case. This is Plaintiff’s first
 23 request for extension of time for the purpose set forth herein.

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

26 . . .

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 FRCP 4(m) requires that a party initiating litigation serve a defendant within “120 days
3 after the complaint is filed . . .” Failure to do so may result in dismissal of the complaint, unless
4 “good cause” exists to extend the 120-day period. *Id.* Similarly, a party may seek an extension
5 of a deadline after its expiration pursuant to FRCP 6(b)(1)(B) upon showing “excusable neglect.”

6 Here, “excusable neglect and good cause” exists to extend the service deadline for
7 serving Defendant Brandee Chambers with the Complaint and Summons. While Plaintiff has
8 timely effected service upon the other Defendant in this case (Pacer #10), Defendant Chambers,
9 despite best efforts by Plaintiff, has not been served. Plaintiff’s legal process service, “Legal
10 Wings” has been attempting to locate Ms. Chambers but, to date, has not been able to do so in
11 this matter. An additional 60-days should permit Legal Wings sufficient time to locate and serve
12 Ms. Chambers with the Summons and Complaint. Undersigned counsel would have filed this
13 motion earlier but was in Washington, D.C., last week on business and did not return to the
14 office until today (August 17, 2015) at which time it was discovered that Legal Wings has not
15 located and served Defendant Chambers as it was required to do.

16 Plaintiff cannot serve Defendant Chambers within the current deadline of August 15.
17 2015. Accordingly, additional time is needed to locate her and effect proper service. The Court
18 should grant this request for extension.

19 . . .
20 . . .

1 CONCLUSION

2 Plaintiff, by and through counsel, respectfully requests that the Court grant this motion.

3 Respectfully submitted,

4 */s/ Paul S. Padda*

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13 Attorney for Plaintiff

14 Dated: August 17, 2015

15 **IT IS SO ORDERED:**

16 **Plaintiff's request to extend the 120-day deadline**
17 **required by FRCP 4(m) is hereby granted.**
18 **Plaintiff's time to serve the Summons and**
19 **Complaint upon Defendant Brandee Chambers**
20 **is hereby extended to and until October 16, 2015.**
21 **Proof of service shall be filed on or before that**
22 **date.**



23 UNITED STATES MAGISTRATE JUDGE

24 8-17-2015

25 **DATED:** _____

26 CERTIFICATE OF SERVICE

27 In compliance with the Court's Local Rules, the undersigned hereby certifies that on
28 August 17, 2015, a copy of the foregoing document, "PLAINTIFF'S MOTION TO EXTEND
29 DEADLINE FOR SERVING COMPLAINT UPON DEFENDANT BRANDEE CHAMBERS"
30 was served (via the Court's CM/ECF system) upon counsel of record for Defendants.

31 */s/ Paul S. Padda*

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33 Paul S. Padda, Esq.