

1 Fire Ins. Co. v. Monroe, No. 10-cv-0385, 2011 WL 383807, at *1 (D. Nev. Feb. 2, 2011). “At a minimum,
2 good cause means excusable neglect. A plaintiff may also be required to show the following: (a) the party
3 to be served personally received actual notice of the lawsuit; (b) the defendant would suffer no prejudice;
4 and (c) the plaintiff would be severely prejudiced if his complaint were dismissed.” Boudette v. Barnette,
5 923 F.2d 754, 756 (9th Cir.1991).

6 Here, Plaintiff has not satisfied this standard. Plaintiff has not given the Court good cause why he
7 has not attempted service on the unserved defendants. On January 16, 2020, the Court gave Plaintiff an
8 additional 90 days (April 15, 2020) to perfect service on any unserved defendants. (ECF No. 36). Plaintiff
9 has not attempted service. Plaintiff has not articulated reasons why service is not completed within a 90-
10 day time frame.

11 In plaintiff’s instant motion, he is also asking for copies of Summons of unserved defendants, a
12 copy of the Second Amended Complaint (ECF NO. 12), and a copy of the order granting his IFP (ECF
13 No. 21). The court will direct the Clerk of Court to mail him copies of the Second Amended Complaint
14 (ECF NO. 12) and a copy of the order granting his IFP (ECF No. 21).

15 Summons have not been issued for Defendants Legrand, Sandie, Gedney, and Johns. Considering
16 that Summons have not been issued for the unserved defendants, the Court will extend the time for Plaintiff
17 to perfect service on Defendants Legrand, Sandie, Gedney, and Johns.

18 Accordingly,

19 IT IS HEREBY ORDERED that Plaintiff’s request for the Reservice of Summons and Second
20 Amended Complaint to Unserved Defendants (ECF NO. 37) is GRANTED.

21 IT IS FURTHER ORDERED that Plaintiff has up to and including July 27, 2020, to perfect service
22 on Defendants Legrand, Sandie, Gedney, and Johns.

23 The Clerk of Court is directed to issue (sealed) Summons for Defendants Legrand, Sandie, Gedney,
24 and Johns, at the addresses provided under sealed in ECF No. 23, and deliver same to the U.S. Marshal
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1 for service. The clerk is directed to send copy of the Second Amended Complaint, Summons, and copy of
2 this order to the U.S. Marshal for service on Defendants Legrand, Sandie, Gedney, and Johns.

3 The U.S. Marshal is directed to serve Defendants Legrand, Sandie, Gedney, and Johns.

4 The clerk is directed to mail to plaintiff the USM-285 form. Plaintiff has thirty (30) days within
5 which to furnish to the U.S. Marshal the required USM-285 form.

6 Within twenty (20) days after plaintiff receives copy of the completed USM-285 form from the
7 U.S. Marshal, plaintiff must file a notice with the court stating if defendant was served. If the plaintiff
8 wishes to have the U.S. Marshal attempt service again on defendant, then a motion must be filed with the
9 court.

10 The Clerk of Court is directed to mail copies of the Second Amended Complaint (ECF NO. 12)
11 and the order granting his IFP (ECF No. 21) to Plaintiff.

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14 DATED this 27th day of March, 2020.



15 CAM FERENBACH
16 UNITED STATES MAGISTRATE JUDGE
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