## UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

GREATER NEW YORK MUTUAL : INSURANCE COMPANY, as subrogee : of SIXTY ACRE RESERVE : CONDOMINIUM ASSOCIATION, :

: CIVIL ACTION NO. 12-4398 (MLC)

OPINION

Plaintiff,

V.

BROAN-NUTONE, LLC, et al.,

Defendants.

THE COURT ordered the plaintiff to show cause why the

Complaint insofar as it is asserted against the defendant Aubrey

Manufacturing, Inc. ("AMI") should not be dismissed for, <u>inter</u>

<u>alia</u>, the plaintiff's failure to comply with Federal Rule of

Civil Procedure ("Rule") 4(m). (See dkt. entry no. 13, Order To

Show Cause.)

THE PLAINTIFF has not responded to the Order To Show Cause.

Thus, the Court intends to (1) grant the Order To Show Cause, and

(2) dismiss the Complaint insofar as it is asserted against AMI

pursuant to Rule 4(m). For good cause appearing, the Court will

issue an appropriate order and judgment.

s/ Mary L. Cooper

MARY L. COOPER

United States District Judge

Dated: May 3, 2013