

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:12-cv-00390-MR-DLH**

DONNA MOORE,)
)
 Plaintiff,)
)
)
 vs.)
)
)
 ZIMMER, INC.; ZIMMER)
 HOLDINGS, INC.; and)
 ZIMMER ORTHOPAEDIC)
 SURGICAL PRODUCTS, INC.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court *sua sponte*.

On December 11, 2012, the Plaintiff filed this action against the Defendants Zimmer, Inc., Zimmer Holdings, Inc., and Zimmer Orthopaedic Surgical Products, Inc. [Doc. 1]. To date, there is nothing in the record to indicate that the Plaintiff has served the Defendants.

Rule 4(m) of the Federal Rules of Civil Procedure provides, in pertinent part, as follows:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or

order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).

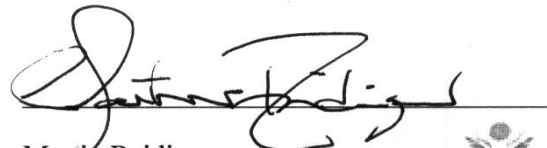
The Plaintiff is hereby placed on notice that unless good cause is shown to the Court for its failure to effect service of the Summons and Complaint on the Defendants within fourteen (14) days from service of this Order, the Plaintiff's action against these Defendants shall be dismissed without prejudice without further order.

IT IS, THEREFORE, ORDERED that the Plaintiff shall show good cause within fourteen (14) days of service of this Order for the failure to effect service on the Defendants Zimmer, Inc., Zimmer Holdings, Inc., and Zimmer Orthopaedic Surgical Products, Inc.

IT IS FURTHER ORDERED that failure of the Plaintiff to respond in writing within fourteen (14) days shall result in a dismissal without prejudice of this action without further order of the Court.

IT IS SO ORDERED.

Signed: April 12, 2013


Martin Reidinger
United States District Judge

