

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:16-cv-00702-FDW-DCK**

**EYETALK365, LLC,** )  
 )  
 **Plaintiff,** )  
 )  
 vs. )  
 )  
 **SKYBELL TECHNOLOGIES, INC.,** )  
 )  
 **Defendant.** )  
 )

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**ORDER**


**THIS MATTER** is before the Court on Plaintiff Eyetalk365, LLC’s Response (Doc. No. 8) to this Court’s Order to Show Cause (Doc. No. 7) as to why service was not completed within the required time limit, or, if Defendant had been served, to provide an affidavit of service.

Absent a showing of good cause, Rule 4(m) of the Federal Rules of Civil Procedure permits this Court to “dismiss the action without prejudice against that defendant . . .” for failure to serve within the required ninety (90) day period. However, “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.*

For the reasons stated in Plaintiff’s Response (Doc. No. 8), the Court finds Plaintiff has shown good cause for the delay and hereby extends the time for service of Plaintiff’s amended complaint. Plaintiff is ORDERED to file, serve Defendant, and provide this Court with an affidavit proving said service of its amended complaint **no later than Friday, February 24, 2017.**

IT IS SO ORDERED.

Signed: February 10, 2017

  
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Frank D. Whitney  
Chief United States District Judge

