

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF PUERTO RICO

3 WANDA TORRES RIVERA,

4 Plaintiff,

Civil No. 07-2095 (JAF)

5 v.

6 FERRERO CARIBE, et al.,

7
8 Defendants.
910 **O R D E R**

11 _____Defendants Ferrero Mexico, Ross de Luca, Anna de Luca, the
12 conjugal partnership of Ross and Anna de Luca, and Barbara Boschiero
13 move to dismiss the present complaint against them because Plaintiff
14 Wanda Torres Rivera has failed to serve them with a summons and
15 complaint, in violation of Federal Rule of Civil Procedure 4(m).
16 Docket No. 20.

17 Rule 4(m) requires that process be perfected within 120 days of
18 the filing of a complaint. Fed. R. Civ. P. 4(m). Plaintiff filed
19 her complaint on November 16, 2007. Docket No. 1. Plaintiff properly
20 served process upon Defendant Ferrero Caribe on March 24, 2008. See
21 Docket No. 5. However, Plaintiff's service upon the moving Defendants
22 was improper. After affording Plaintiff a reasonable opportunity to
23 perfect service, we quashed Plaintiff's service of process on the
24 moving Defendants on June 13, 2008. Docket No. 14. To date, Plaintiff
25 has not shown good cause for her failure to serve process on the
26 moving Defendants, nor has she responded to the present motion to
27 dismiss.

