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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC, et al.,

Plaintiffs,

v.

IMPULSE MARKETING GROUP, INC., et al.,

Defendants.

NO. C06-1469P

ORDER TO SHOW CAUSE

The deadline for submitting a combined joint status report and discovery plan (“JSR”) was February 28, 2007. (Dkt. No. 4). Although the Court previously granted the parties an extension to file this report, no JSR has been filed. IT IS HEREBY ORDERED that the parties show cause why this matter should not be dismissed without prejudice for failure to submit a JSR. Any response will be due within thirty (30) days of the date of this order.

The Court also notes that more than 120 days have passed since this complaint was filed on October 10, 2006. Plaintiffs have only filed proof of service of the summons and complaint for two of the five named defendants, as required by Fed. R. Civ. P. 4(l). (Dkt. No. 6). Plaintiffs also have not filed any waivers of service with the court pursuant to Fed. R. Civ. P. 4(d)(4).

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

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be

1 effected within a specified time; provided that if the plaintiff shows good cause for the failure,
2 the court shall extend the time for service for an appropriate period.

3 To the extent that Plaintiffs failed to serve any of the named defendants within 120 days of filing their
4 complaint, Plaintiffs are ORDERED to show cause within thirty (30 days) of the date of this order why
5 this action should not be dismissed without prejudice as to any defendants who were not timely served
6 under Rule 4(m). If Plaintiffs served all defendants with 120 days of filing their complaint, they are
7 directed to file proof of service with the Court.

8 The Clerk is directed to send copies of this order to all counsel of record.

9 Dated: March 1, 2007.

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11 s/Marsha J. Pechman
12 Marsha J. Pechman
13 United States District Judge
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