

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BHUPINDER S. SAINI, M.D.,

Plaintiff,

v.

PENN MUTUAL LIFE INSURANCE
COMPANY, WILLIAM J. HOWARD, and
DANIEL ROONEY,

Defendants.

Case No. 16-CV-1724-JPS

ORDER

On April 25, 2017, the Court ordered Plaintiff to show good cause for his failure to serve Defendants William J. Howard (“Howard”) and Daniel Rooney (“Rooney”) within the time specified by Federal Rule of Civil Procedure (“FRCP”) 4(m). (Docket #14). In a letter filed on May 8, 2017, Plaintiff states that Howard passed away prior to this lawsuit coming before this Court. (Docket #16 at 1). Plaintiff states that he is investigating whether Howard’s estate has assets or insurance. *Id.* Plaintiff’s letter further indicates that efforts to obtain a waiver of service from Rooney have been thus far unsuccessful. *Id.* at 1-2. In light of Plaintiff’s representations in his letter, the Court finds cause to extend the service deadline. *See* Fed. R. Civ. P. 4(m).

Plaintiff requests an extension of the FRCP 4(m) deadline by 45 days. *Id.* at 2. As the Court previously observed, the original service deadline was March 30, 2017. (Docket #14 at 1). This would mean that a 45-day extension would move the deadline to May 15, 2017, only five days away. In the spirit of Plaintiff’s request, the Court will instead set the new service deadline for **June 26, 2017**. This includes any time needed to

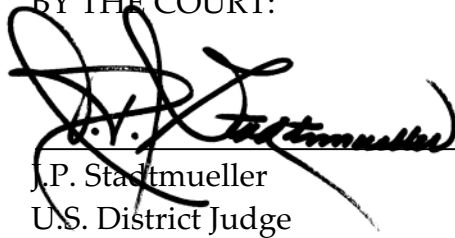
substitute parties as may be required given Howard's passing. No further extensions of time will be considered for any reason.

Accordingly,

IT IS ORDERED that the plaintiff shall be granted until **June 26, 2017**, to provide evidence of service for all defendants or those defendants shall be dismissed from this action without prejudice.

Dated at Milwaukee, Wisconsin, this 10th day of May, 2017.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge