

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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THOMAS F. RUSSELL  
and DONNA A. RUSSELL,

Plaintiffs,

v.

U.S. BANK NATIONAL ASSOCIATION  
and MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,

Defendants.

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ORDER

11-cv-358-bbc

Plaintiffs Thomas and Donna Russell filed this civil action on May 23, 2011, against defendants U.S. Bank National Association and Mortgage Electronic Registration Systems, Inc. and paid the \$350 filing fee. That same day, the clerk of court issued summons forms to plaintiffs, so that they could serve their complaint. Almost ten weeks have passed and nothing has happened: the court has not received proof of service from plaintiffs or a written explanation of the efforts they have made to serve the defendants. Indeed, plaintiffs have not corresponded with the court since they filed this case on May 23. Although the outside deadline under Fed. R. Civ. P. 4(m) for serving the complaint is September 21, 2011, this court expects plaintiffs promptly to serve their complaint so that they can get a response from the defendants and obtain a schedule from the court for future proceedings, including a firm trial date. So, plaintiffs must provide a status report as to what steps plaintiffs have taken to serve their complaint on the defendants.

ORDER

IT IS ORDERED that plaintiffs Thomas and Donna Russell may have until August 17, 2011, in which to advise the court in writing what steps they have taken to serve their complaint on the defendants. If, by August 17, 2011, plaintiffs fail to respond to this order, the clerk of court is to enter judgment dismissing this action without prejudice for plaintiffs' failure to prosecute.

Entered this 29<sup>th</sup> day of July, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge