IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

WORLDSLIDE, LLC, Plaintiff, v. BRIAN DUBINSKY and AQUAWOOD, LLC, using trade name TOYQUEST; WAL-MART STORES, INC.; AMAZON.COM, INC.; and TOYS 'R' US-DELAWARE, INC., Defendants.	2:12-cv-00872-GEB-CKD ORDER CONTINUING STATUS (PRETRIAL SCHEDULING) CONFERENCE; FED. R. CIV. P. 4(M) NOTICE

Plaintiff states in the Joint Status Report filed August 28, 2012 ("JSR"):

> [Defendant] Brian Dubinsky has evaded service and plaintiff may motion to serve him by publication. [Defendant] AquaWood, Inc.'s agent for service of process has evaded service and plaintiff may motion to serve the corporation by publication. . . . Both [of] these parties are well aware of this litigation and have not been prejudiced by the delay in service.

(JSR 3:16-21.)

In light of Plaintiff's referenced representations, Plaintiff is granted an extension under Federal Rule of Civil Procedure ("Rule") 4(m) to effectuate service on Defendants Brian Dubinsky and AquaWood, LLC until and including October 29, 2012. Plaintiff is notified under Rule 4(m) that failure to serve these defendants with process by October 29, 2012, may result in the unserved defendant's dismissal for failure of service and/or prosecution. To avoid dismissal, on or before October

31, 2012, Plaintiff shall file proof of service or a filing providing sufficient explanation why service was not completed within the extended service period.

Further, the Status (Pretrial Scheduling) Conference scheduled for hearing on September 17, 2012, is continued to December 10, 2012, at 9:00 a.m. A further joint status report shall be filed no later than fourteen (14) days prior.

IT IS SO ORDERED.

Dated: September 12, 2012

GARLAND E. BURRELL, JR.
Senior United States District Judge