

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STEFANI ROSSI REO,)	CASE NO.1:19CV2786
)	
Plaintiff/)	SENIOR JUDGE
Counterdefendant)	CHRISTOPHER A. BOYKO
vs.)	
)	
MARTIN LINDSTEDT,)	ORDER TO SHOW CAUSE
)	
Defendant/)	
Counterclaimant)	

CHRISTOPHER A BOYKO, SR.J.:

The above-captioned case was removed to this Court on November 26, 2019. On March 3, 2020 Defendant Martin Lindstedt filed his Answer and Counterclaim. In his Counterclaim, along with Plaintiff Stefani Reo, Lindstedt named as Counter-Defendants Bryan Reo, Anthony Reo, Kyle Bristow, Brett Klimkowsky, Patrick Condon, Lake County, Ohio Court of Common Pleas, The State of Ohio and the United States of America. At the Case Management Conference, the Magistrate Judge set a cut-off date of June 15, 2020.

To effectuate service upon a defendant, the plaintiff/counterclaimant is required by the Civil Rules to act in a reasonable and diligent manner. Specifically, Rule 4(m) of the Federal Rules of Civil Procedure provides:

(m) Time Limit for Service. If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j)(1).

As of this date there is nothing on the docket to indicate that service was ever perfected on these parties. Because there is nothing in the record to show why Counterclaimant Martin Lindstedt was unable to obtain service upon Counter-Defendants within 90 days, the Court notifies Lindstedt that unless good cause is shown for failure to serve these parties as provided under the Rules, his claims against these unserved Counter-Defendants will be dismissed without prejudice on February 18, 2022.

IT IS SO ORDERED.

/s/Christopher A. Boyko
CHRISTOPHER A. BOYKO
Senior United States District Judge