District Local Rule Civ 4.1 (Civil)

STATUS REPORT ON SERVICE OF PROCESS

Within thirty (30) days of the filing of the complaint, the plaintiff must file with the Court a status report regarding whether service of the summons and complaint has been effectuated or waived by each defendant and, if so, the date(s) on which each such service or waiver of service occurred. Filing such a status report does not fulfill the plaintiff's obligations to comply with the requirements of Federal Rule of Civil Procedure 4(*l*). If the plaintiff files a proof of service in accordance with Federal Rule of Civil Procedure 4(*l*) within thirty (30) days of the filing of the complaint, the plaintiff need not file the status report otherwise required under this local rule.

RELATED AUTHORITY
Fed. R. Civ. P. 4(l), 16(b)(2)

Advisory Committee Notes

Under Federal Rule of Civil Procedure 16(b)(2), "[t]he judge must issue the scheduling order as soon as practicable, but unless the Court finds good cause for delay, the judge must issue it within the earlier of 90 days after any defendant has been served with the complaint or 60 days after any defendant has appeared." Federal Rule of Civil Procedure 4(l) does not require the plaintiff to file a proof of service within a specific timeframe. Thus, for purposes of determining under Federal Rule of Civil Procedure 16(b)(2) the date "90 days after any defendant has been served with the complaint," the Court may not in every instance know if and when the plaintiff has served any defendant. The status report requirement set forth in this local rule seeks to address this issue.