

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Los Angeles Waterkeeper v. SignResource, LLC

Los Angeles Waterkeeper · No. CV 24-10605 FMO (BFMx) · Decided May 30, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause regarding dismissal for lack of prosecution in Los Angeles Waterkeeper v. SignResource, LLC. The court directed the plaintiff to respond by June 6, 2025, concerning service, an answer, or an application for default, and warned that failure to respond could result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando M. Olguin
DECIDED	May 30, 2025
DOCKET	CV 24-10605 FMO (BFMx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause why the action should not be dismissed for lack of prosecution based on the apparent failure to timely serve the defendant and comply with related case deadlines.
PRECEDENTIAL VALUE	unpublished district court order; limited persuasive value

TOPICS

- service of process
- default
- default judgment
- civil procedure
- clean water act

PRACTICE AREAS

- civil procedure
- environmental law

QUESTIONS PRESENTED

- Whether the plaintiff should be required to show cause why the action should not be dismissed without prejudice for lack of prosecution based on the apparent failure to timely serve the defendant or obtain a timely response.
- What procedural deadlines and available filings govern service, answering, entry of default, and default judgment in the circumstances presented.

HOLDINGS

1. Absent good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed.
2. The court may dismiss an action before expiration of the 90-day service period when the plaintiff has not diligently prosecuted the action.
3. When serving individuals or business entities in a foreign country, the plaintiff must exercise all reasonable diligence and attempt service within the 90-day period.

KEY QUOTATIONS

“Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed.” (at 1)

“Failure to file a timely response to this Order to Show Cause shall result in the action or the above defendant(s) being dismissed for lack of prosecution and for failure to comply with the orders of the court.” (at 1)

FACTUAL BACKGROUND

The complaint had been filed, but the court believed that the summons and complaint had not been served within the applicable period or that the defendant had not timely responded. SignResource, LLC was the identified defendant. The order does not provide additional merits facts.

PROCEDURAL HISTORY

Plaintiff filed the action against SignResource, LLC. The court determined that the applicable service or response periods apparently had not been met and ordered plaintiff to show cause in writing by June 6, 2025 why the action should not be dismissed. The order stated that the matter would be submitted upon an answer, an application for entry of default, or a motion for default judgment, and warned that failure to respond could result in dismissal.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S. Ct. 1386, 1388 (1962)

OPINION

Los Angeles Waterkeeper v. SignResource, LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

No. CV 24-10605 FMO (BFMx) Date May 30, 2025 Title Los Angeles Waterkeeper v. SignResource, LLC Present: The Honorable — Fernando M. Olguin, United States District Judge Vanessa Figueroa None Present Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings: (In Chambers) Order to Show Cause Re: Dismissal Re: Lack of Prosecution Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. Fed. R. Civ. P. 4(m). Generally, a defendant must answer the complaint within 21 days after service (60 days if the defendant is the United States). Fed. R. Civ. P. 12(a). The court may dismiss the action prior to the 90 days, however, if plaintiff(s) has/have not diligently prosecuted the action. With respect to service of individuals and/or business entities in a foreign country, plaintiff shall exercise all reasonable diligence and attempt service within the 90-day time period. In the present case, it appears that one or more of these time periods has not been met. Accordingly, the court, on its own motion, orders plaintiff(s) to show cause in writing on or before June 6, 2025, why this action should not be dismissed for lack of prosecution. Pursuant to Fed. R. Civ. P. 78(b), the court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of: 7 An answer by the following defendant(s): SIGNRESOURCE, LLC 7 Plaintiff's application for entry of default pursuant to Fed. R. Civ. P. 55(a):

SIGNRESOURCE, LLC

Oo Plaintiff's motion for default judgment pursuant to Fed. R. Civ. P. 55(b); on or before the date indicated above. Failure to file a timely response to this Order to Show Cause shall result in the action or the above defendant(s) being dismissed for lack of prosecution and for failure to comply with the orders of the court. See Local Rule 41; Fed. R. Civ. P. 4 & 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962). 00 : 00 Initials of Preparer vdr