

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

RANDY PAUL, an individual and
WILLIAM D. CONWAY, an individual,

Plaintiffs,

v.

MANUFACTURER'S ASSET GROUP, LLC,
an enterprise affecting interstate commerce; and
RAYMOND L. LEONARD, an individual
predicate actor and member of the enterprise,

Defendants.

ORDER

04-C-769-C

This is a civil action for monetary relief in which plaintiffs Randy Paul and William Conway, who are proceeding pro se, allege that defendants have violated state law and the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961-1968 (RICO). Plaintiffs have paid the filing fee. Jurisdiction over their RICO claim is proper under 28 U.S.C. § 1331, and jurisdiction over their state law claim exists under the supplemental jurisdiction statute, 28 U.S.C. § 1367.

The next step is for plaintiffs to serve their complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendants. However, that is an outside limit with few exceptions. This court requires that

plaintiffs act diligently in moving their case to resolution. If plaintiffs act promptly, they should be able to serve their complaint on the defendants well before the deadline for doing so established in Rule 4.

To help plaintiffs understand the procedure for serving a complaint on a limited liability company, I am enclosing with this order a copy of a document titled "Procedure for Serving a Complaint on a Corporation or Limited Liability Company in a Federal Lawsuit." In addition, I am enclosing a copy of a document titled "Procedure for Serving a Complaint on Individuals in a Federal Lawsuit." Finally, I am enclosing the forms that plaintiffs will need to send to the defendants in accordance with the procedures set out in Option 1 of the memoranda.

ORDER

IT IS ORDERED that plaintiffs promptly serve their complaint on the defendants and file proof of service of their complaint as soon as service has been accomplished. If, by December 1, 2004, plaintiffs fail to submit proof of service of their complaint on the

defendants or explain their inability to do so, I will direct plaintiffs to show cause why their case should not be dismissed for lack of prosecution.

Entered this 19th day of October, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge