

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

LINDA TAYLOR, SANDRA COX, and
TONYA DIXON, individually and on behalf
of themselves and others similarly situated,
Plaintiffs,

v.

INTERNAL HEALTH AND MEDICAL
SERVICES, LLC and MARGARET
HENDERSON-LEE,
Defendants.

No. 2:23-cv-02663-SHL-cgc

**ORDER GRANTING PLAINTIFFS' REQUEST FOR ADDITIONAL TIME TO
SERVE DEFENDANT MARGARET HENDERSON-LEE**

Before the Court is Plaintiffs' Response to the Court's Order to Show Cause, filed on October 22, 2024. (ECF No. 35.) The Court ordered Plaintiffs to show cause for their failure to obtain a summons for Defendant Margaret Henderson-Lee, who they joined as a Defendant in their amended complaint. (ECF No. 29.) In their response, Plaintiffs acknowledge their inadvertent failure to obtain a summons. (ECF No. 35 at PageID 154.) However, Plaintiffs state that they promptly obtained a summons for Henderson-Lee upon receipt of the Court's order and have made diligent efforts to serve her since then. (Id.)

A plaintiff must serve a defendant within ninety days after the complaint is filed. Fed. R. Civ. P. 4(m). If service is not completed within ninety days, the court must either "dismiss the action without prejudice against the defendant or order that service be made within a specified time." Id. Because Plaintiffs filed their amended complaint on July 12, 2024, they were required to serve Henderson-Lee by October 10. Despite Plaintiffs' diligent attempts to serve her at her last known business address and home address, Plaintiffs were unable to do so by the deadline.

(ECF No. 35 at PageID 154–55.) Thus, Plaintiffs request additional time to complete service and submit proof. (Id. at PageID 155.)

The Court **GRANTS** Plaintiffs’ request for additional time and **DIRECTS** them to complete service and submit proof by **November 25, 2024**.

IT IS SO ORDERED, this 23rd day of October, 2024.

s/ Sheryl H. Lipman _____
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE