UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LIBERTY MEDIA HOLDINGS, LLC, Plaintiff, vs. JOHN DOE 1 AND JOHN DOE 2, Defendants.	CASE NO. 11cv0041 BEN (NLS) **ORDER DISMISSING CASE WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 4(m)**

This matter was noticed for dismissal pursuant to Federal Rule of Civil Procedure 4(m) and set for hearing on August 1, 2011 at 10:30 a.m. because the named Defendants were not served with the Summons and Complaint within 120 days of the filing of the Complaint.[1] The hearing was held on August 1, 2011 and no party appeared. Accordingly, the action is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m). The Clerk shall close the file.

IT IS SO ORDERED.

DATED: August 3, 2011

Hon. Roger T. Benitez
United States District Judge

[1]The Court is aware that Plaintiff sought and obtained permission to conduct immediate discovery to obtain the identities of the Defendants, but that motion was granted almost five months ago.