

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

NADIR KHANI,)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	No. 05-2205-KHV
)	
OVERNITE CORPORATION,)	
d/b/a OVERNITE TRANSPORTATION,)	
)	
Defendant.)	
_____)	

ORDER

On May 16, 2005 plaintiff filed a civil complaint. On September 21, 2005, the Court ordered plaintiff to show good cause in writing on or before October 7, 2005 why service of the summons and complaint had not been made within 120 days from the filing of the complaint, and further show good cause in writing why plaintiff's claims should not be dismissed in their entirety without prejudice.

Plaintiff responds that counsel lost contact with him but that they have re-established communication and wish to proceed. The clerk has issued summons, which has been sent to defendant's registered agent for service. The Court finds that plaintiff has shown good cause why the Court should not dismiss the claims against defendants for failure to serve the summons and complaint.

IT IS SO ORDERED.

Dated this 20th day of October, 2005, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge