

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ELOY VELASCO BRISENO, et al.,)
)
) Plaintiffs,)
)
v.) Case No. 18-2482-CM
)
MARKETING AND MANAGEMENT)
SOLUTIONS, LLC, et al.,)
)
) Defendants.)

ORDER TO SHOW CAUSE

On September 7, 2018, plaintiffs filed their complaint in this breach of contract case against a variety of individual and corporate defendants, alleging involvement in a fraudulent timeshare operation.¹ Summons were served and returned for three defendants: Banamex, S.A.;² Marketing and Management Solutions, LLC;³ and Deborah Smith.⁴ Banamex, S.A. filed its motion to dismiss on November 13, 2018, for lack of personal jurisdiction, insufficient process, and insufficient service of process.⁵ Plaintiffs filed a motion to dismiss Marketing and Management Solutions, LLC and Deborah Smith on January 30, 2019,⁶ which the court granted on January 31, 2019.⁷ On June 27, 2019, the court granted Banamex, S.A.’s motion to dismiss.⁸

¹ ECF No. 1.
² ECF No. 6.
³ ECF No. 8.
⁴ ECF No. 7.
⁵ ECF No. 12.
⁶ ECF No. 19.
⁷ ECF No. 20.
⁸ ECF No. 21.

Thirteen defendants remain in this case: James Allen Buckley; Mario Morales Ortiz Pena; Banco Mercantil del Norte, S.A.; Banorte USA Corporation; Banorte; Alejandro Garcia Reyes; Geraldo Reyes Corona; PRHometeus Consulting Group; VHM and Company; Gaberi Consultores, S.C.; BBVA Bancomer, S.A.; Titanium Inmobiliarios Y Asociados, S.C.; and El Banco Nacional de Mexico. A November 21, 2018 docket entry reflects that Banco USA Corporation was served on October 16, 2018.⁹ It is unclear from the record whether Banco USA Corporation is the same entity as Banorte USA Corporation, as Banco USA Corporation is not named as a party or listed in the complaint. As to the other twelve defendants, no summons have been returned or executed.

Therefore, by **July 15, 2019**, plaintiffs must show cause in writing to the presiding U.S. District Judge, Carlos Murguia, why this case should not be dismissed, without prejudice, for lack of timely service of process to the remaining thirteen defendants.

IT IS SO ORDERED.

Dated July 1, 2019, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge

⁹ ECF No. 15.