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Attorneys for Plaintiff  
7 *Debbie Siegfried*

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 DEBBIE SIEGFRIED, individually,

Case No. 2:20-cv-01905-KJD-DJA

11 Plaintiff,

12 vs.

13 **PLAINTIFF'S MOTION TO ENLARGE**  
**TIME TO SERVE SUMMONS AND**  
**COMPLAINT ON DEFENDANT JESS**  
**LOPEZ**

14 LOYA INSURANCE COMPANY, a  
Foreign Corporation; and JESS LOPEZ,  
15 individually, DOES I through X and ROE  
BUSINESS ENTITIES I through X,  
16 inclusive,

17 Defendants.  
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19 Plaintiff, DEBBIE SIEGFRIED, by and through her attorneys, Dennis M. Prince  
20 and Kevin T. Strong of PRINCE LAW GROUP submits this Motion to Enlarge Time to  
21 Serve Summons and Complaint on Defendant Jess Lopez.  
22

23 **I.**

24 **STATEMENT OF FACTS AND PROCEDURAL HISTORY**

25 On December 8, 2014, a motor vehicle collision occurred at the intersection of  
26 Cheyenne Avenue and Rainbow Boulevard in Clark County, Nevada involving Plaintiff  
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1 Debbie Siegfried (“Siegfried”) and Defendant Jess Lopez. As the result of the collision,  
2 Siegfried suffered injuries and filed a personal injury action in State Court.

3 On February 10, 2020, a jury trial commenced in the personal injury action.  
4 During the jury selection process, the parties, through their respective counsel, agreed  
5 to submit the case to binding arbitration. Up to and during the course of the trial,  
6 Defendant Loya Insurance Company refused to settle the case to prevent a judgment in  
7 excess of the policy limits against its insured, Defendant Lopez. Under the terms and  
8 conditions of the Binding Arbitration Agreement, Defendant Lopez assigned all his legal  
9 rights against Defendant Loya Insurance Company for the breach of duties described  
10 herein. Siegfried, as Lopez’s assignee, has the legal right to bring the claims asserted  
11 against Defendant Loya Insurance Company herein.  
12

13  
14 The Complaint in this matter was filed on September 3, 2020. Plaintiff Debbie  
15 Siegfried (hereinafter “Plaintiff”) has 120 days to serve Defendants with a copy of the  
16 Summons and Complaint. The deadline to effect service of process upon Defendants is  
17 January 1, 2021. Defendant Loya Insurance Company was already served.  
18

19 After numerous unsuccessful attempts to personally serve Defendant Jess Lopez,  
20 Plaintiff respectfully requests that this court enter an order allowing Plaintiff to serve  
21 Defendant Lopez by publication. The attempts to personally serve Defendant Lopez are  
22 outlined below:  
23

- 24 • On or around September 4, 2020 Plaintiff retained LV Process and  
25 Investigations, LLC (hereinafter “LV Process”) serve Defendant Lopez with  
26 the Summons and Complaint.
- 27 • On or around September 8, 2020, LV Process attempted to serve Defendant  
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Lopez at his residence located at 8744 Raindrop Canyon Ave., Las Vegas, Nevada 89129. There was no answer to a knock on the door and no vehicles present. A business card was left on the front door.

- On or around September 12, 16, and 21, 2020, LV Process again attempted to service Defendant Lopez at his residence located at 8744 Raindrop Canyon Ave., Las Vegas, Nevada 89129. A Nissan Sentra was in the driveway but no one answered the door. A business car was left on the front door requesting contact.
- On or around September 21, 2020, LV Process ran a Database Tracers search on the Nissan Sentra and found the vehicle was owned by Defendant Lopez. LV Process also received a copy of the traffic accident report and attempted to contact Defendant Lopez by phone.
- On September 24 and 29, 2020 and October 3, 2020, LV Process again attempted to service Defendant Lopez at his residence located at 8744 Raindrop Canyon Ave., Las Vegas, Nevada 89129. The Nissan Sentra was in the driveway, but no one answered the door. A business car was left on the front door requesting contact.
- On September 28, 2020 and October 5, 2020, LV Process tried to contact Defendant Lopez by phone but was unsuccessful.
- On October 5, 2020, LV Process ran multiple database searches, including but not limited to: Database Tracers Clark County Assessor's website, Nevada Voters Registration, Clark County Detention Center, Clark County Marriage Records, Nevada Secretary of State, Clark County Justice and

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District Courts in Las Vegas and Henderson and an online search, but found no current information on Defendant Lopez.

- On October 5, 2020, LV Process again tried to contact Defendant Lopez by phone but was unsuccessful.

II.

LEGAL ARGUMENT

FRCP 4(m) states, in pertinent part, as follows:

(m) **TIME LIMIT FOR SERVICE.** If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Pursuant to FRCP 4(m), Siegfried seeks an order to enlarge the time to serve Defendant Lopez. Siegfried has also filed, concurrently herewith, a Motion to Serve by Publication wherein she seeks to serve Defendant Lopez by publication, but requires additional time to effectuate said service. Based on the filing of the Complaint, Siegfried currently has up to and including January 1, 2021, to effectuate service of process on Defendant Lopez. Siegfried requests an additional 90 days, up to and including April 1, 2021 to serve the Defendant Lopez via publication. This is Siegfried’s first request for an extension of time.

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III.

CONCLUSION

For the foregoing reasons, Siegfried respectfully requests this Court enter an Order granting Plaintiff Debbie Siegfried's Motion to Enlarge Time to Serve, to allow Siegfried up to and including April 1, 2021, to effectuate service of process on Defendant Lopez.

DATED this 7 day of December, 2020.

Respectfully Submitted,

**PRINCE LAW GROUP**

  
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Attorneys for Plaintiff  
*Debbie Siegfried*

**IT IS SO ORDERED.**

DATED: December 8, 2020

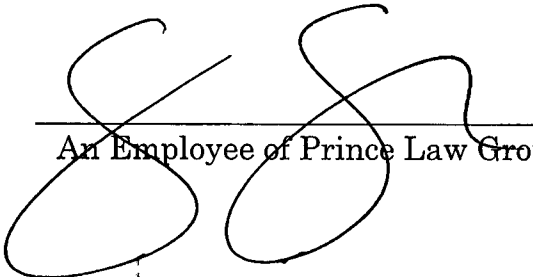
  
DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

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**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I hereby certify that I am an employee of **PRINCE LAW GROUP** and that on the 7 day of December, 2020, I electronically filed the foregoing document entitled **PLAINTIFF'S MOTION TO ENLARGE TIME TO SERVE SUMMOND AND COMPLAINT ON DEFENDANT JESS LOPEZ** with the Clerk of the Court using the CM/ECF system, which sent a notice of electronic filing to the following:

M. Bradley Johnson, Esq.  
Kravitz, Schnitzer & Johnson  
8985 S. Eastern Ave., Suite 200  
Las Vegas, NV 89123  
Attorneys for Defendant  
*Loya Insurance Company*

  
\_\_\_\_\_  
An Employee of Prince Law Group

