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

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Anita Barajas,)

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Plaintiff,)

CV 11-322-TUC-DCB

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v.)

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University Physicians, Inc., Cigna Group)
Insurance, and Life Insurance Company)

O R D E R

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of N.A. , a Cigna Company,)

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Defendants.)

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Plaintiff, having established her status as an indigent may proceed without the prepayment of costs or fees or the necessity of giving security therefore. Plaintiff shall be responsible for service of the Summons and Complaint, pursuant to Rule 4(d) of the Federal Rules of Civil Procedure.

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Rule 4(d)(2) of the Federal Rules of Civil Procedure provides in part that:

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An individual, corporation, or association that is subject to service under subdivision (e), (f) or (h) and that receives notice of an action in the manner provided in this paragraph, has a **duty to avoid unnecessary costs of serving the summons**. To avoid the costs, the plaintiff may notify such a defendant of the commencement of the action and request that the defendant waive service of a summons.

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Rule 4(d)(2) further provides that if a defendant fails to comply with the request for

1 waiver, the court “shall impose the costs subsequently incurred in effecting service on the
2 defendant unless good cause for the failure be shown.”

3 **Accordingly,**

4 **IT IS ORDERED** that the Motion for Leave to Proceed *In Forma Pauperis* (doc. 2) is
5 GRANTED.

6 DATED this 7th day of June, 2011.

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10 David C. Bury
11 United States District Judge
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