

1 Rule 4 provides that “[a]n individual, corporation, or association that is subject to
2 service under Rule 4(e), (f), or (h) has a duty to avoid unnecessary expenses of serving the
3 summons.” Fed. R. Civ. P. 4(d)(1). “If a defendant located within the United States fails,
4 without good cause, to sign and return a waiver requested by a plaintiff located within the
5 United States, the court must impose on the defendant . . . the expenses later incurred in
6 making service” Fed. R. Civ. P. 4(d)(2)(A).

7 It appears that Defendant Calzetta was given the opportunity required by Rule
8 4(d)(1) to waive service, but failed to comply with the request. The Court shall provide
9 Defendant with the opportunity to show good cause for failing to waive service. If
10 Defendant either fails to respond to this order or responds but fails to show good cause, the
11 costs incurred in effecting service shall be imposed on Defendant.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. Defendant Calzetta may, within thirty (30) days from the date of this
14 order, show good cause for failing to waive service; and
- 15 2. If Defendant either fails to respond to this order or responds but fails to
16 show good cause, the Court shall impose upon Defendant Calzetta the
17 costs incurred in effecting service.

18
19 IT IS SO ORDERED.

20 Dated: August 31, 2015

21 /s/ Michael J. Seng
22 UNITED STATES MAGISTRATE JUDGE