

1 **WHEREAS**, Plaintiff has been diligently attempting to serve Sosa with the Summons
2 and First Amended Complaint but has not been able to effect service to date, and believes that
3 Sosa is evading service, as more particularly set forth in the declaration of Zachary M. Best,
4 filed herewith;

5 **WHEREAS**, Plaintiff has tried to resolve this matter with the Gomez' Defendants
6 counsel without success;

7 **WHEREAS**, Plaintiff believes that a full resolution of Plaintiff's claims will be
8 impossible without the participation of Sosa;

9 **WHEREAS**, this request is made ex parte because the service deadline expires October
10 20, 2017. Plaintiff had hoped that this application would not be necessary, and that the ongoing
11 efforts at service and/or settlement would be productive. However, it has now been determined
12 that Plaintiff will need to request service by publication;

13 **WHEREAS**, Plaintiff will be filing a motion for service by publication and will require
14 additional time to bring the motion and effect service by publication.

15 **NOW, THEREFORE**, Plaintiff, by and through his counsel, hereby requests that he be
16 given an additional 45 days from the current deadline of October 20, 2017 to December 4, 2017
17 within which to complete service of the complaint on Sosa by publication.

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19 Dated:

MISSION LAW FIRM, A.P.C.

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21 /s/ Zachary M. Best

Zachary M. Best
Attorney for Plaintiff,
Jose Acosta

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ORDER

Upon request of Plaintiff and good cause appearing.

IT IS HEREBY ORDERED that the time within which Plaintiff must serve the First Amended Complaint on Defendant Enrique Sosa, is hereby extended from October 20, 2017 to December 4, 2017.

IT IS SO ORDERED.

Dated: October 20, 2017



UNITED STATES MAGISTRATE JUDGE