United States District Court
For the Northern District of California

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7   IN THE UNITED STATES DISTRICT COURT

8   FOR THE NORTHERN DISTRICT OF CALIFORNIA

9   SAN FRANCISCO DIVISION

10 Innovus Prime, LLC,   NO. C 11-04223 JW

11   Plaintiff,   **ORDER APPOINTING INTERNATIONAL**
        v.   **PROCESS SERVER**
12
    LG Electronics, Inc., et al.,
13
              Defendants.
14 _____/

15   Presently before the Court is Plaintiff's Request for the Appointment of an International

16 Process Server.[1] (See Docket Item No. 52.) Plaintiff contends that Defendant LG Electronics, Inc.

17 ("LG Electronics") is "refusing to give its [United States] counsel the authority to accept service of

18 the Complaint on its behalf," which requires Plaintiff to have Defendant LG Electronics served in

19 Korea. (Id. at 2.)

20   Chapter 1, Article 3 of the Convention on the Service Abroad of Judicial and Extrajudicial

21 Documents in Civil or Commercial Matters developed at the Tenth Session of the Hague Conference

22 on Private International Law on November 15, 1965 provides that the "authority or judicial officer

23 competent under the law of the State in which the documents originate shall forward to the Central

24 Authority of the State addressed a request conforming to the model annexed to the present

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26   [1] Although Plaintiff has requested that the Court appoint an international process server,
    Plaintiff has not brought this request before the Court in the form of a Motion, but rather in the form
27 of a Proposed Order. Because the Court finds that it can address Plaintiff's Request in the form
    presented, the Court construes the Request as a Motion. However, the Court admonishes Plaintiff
28 that the Local Rules require that any written request to the Court for an Order must be presented in
    the form of either a motion or a stipulation. See Civ. L.R. 7-1(a).

Convention, without any requirement of legalization or other equivalent formality. The document to be served or a copy thereof shall be annexed to the request. The request and the document shall both be furnished in duplicate." Hague Service Convention, art. 3, ch.1, Nov. 15, 1965, 20 U.S.T. 361. Pursuant to the Hague Convention, a party may move a court to appoint an international process server in order to serve a party outside the United States. See Allstate Ins. Co. v. Funai Corp., 249 F.R.D. 157, 160 (M.D. Pa. 2008).

Upon review, the Court finds good cause to appoint an international process server to serve documents in this case upon Defendant LG Electronics in Korea. Accordingly, the Court GRANTS Plaintiff's Request and APPOINTS Crowe Foreign Services, 1020 SW Taylor Street, Suite 240, Portland, Oregon, 97205, as an international process server for the purpose of serving documents in this case upon Defendant LG Electronics.

Dated: November 15, 2011

JAMES WARE
United States District Chief Judge

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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Dated: November 15, 2011   **Richard W. Wieking, Clerk**

                                                 By:___/s/ JW Chambers_____
                                                      Susan Imbriani
                                                      Courtroom Deputy