

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

6 LOOP AI LABS INC,  
7 Plaintiff,

8 v.

9 ANNA GATTI, et al.,  
10 Defendants.  
11

Case No. 15-cv-00798-HSG

**ORDER REGARDING SERVICE OF  
DEFENDANTS**

Re: Dkt. Nos. 14 and 19

12 On March 5, 2015, Plaintiff Loop AI Labs, Inc. informed the Court that Plaintiff's counsel  
13 contacted attorney Richard E. Levine to determine if he would accept service of the documents  
14 filed under docket numbers 9 through 12 on behalf of Defendant Gatti, and that Mr. Levine stated  
15 that he was not authorized to do so. See Dkt. Nos. 14 and 19. Plaintiff's submission to the Court  
16 also reported that it was unable to serve Defendant IQSystem Inc. due to inclement weather in  
17 Delaware. See Dkt. No. 14. Plaintiff's requested to serve both Defendants by email. Id.

18 Plaintiff's request to serve Defendants Gatti and IQSystem Inc. by email is **DENIED**.  
19 Rule 4(f)(3) of the Federal Rules of Civil Procedure permits email service on defendants in a  
20 foreign country in appropriate circumstances. See *D.Light Design, Inc. v. Boxin Solar Co., Ltd.*,  
21 2015 WL 526835 (N.D. Cal. Feb. 6, 2015) (permitting email service on defendants in China where  
22 email service was reasonably calculated to provide actual notice under the circumstances and  
23 where email service was not prohibited by international agreement). Rule 4(f)(3) does not apply  
24 to defendants located in the United States.


25 Plaintiff is directed to make all reasonable efforts to immediately serve the documents filed  
26 under docket numbers 9 through 12 on all unserved defendants in this action in a manner  
27 compliant with Rule 4 of the Federal Rules of Civil Procedure. See Fed. R. Civ. P. 4(e).  
28 Plaintiff's efforts should continue up to and including Defendants' March 9, 2015 deadline to

1 oppose Plaintiff's Motion. See Dkt. No. 12.

2 In addition, Plaintiff is directed to email the documents filed under docket numbers 9  
3 through 12, along with this Order (Dkt. No. 20), to Richard E. Levine and Tom Losavio. Mr.  
4 Levine and Mr. Losavio are **ORDERED** to immediately forward those documents by email to  
5 Defendant Gatti.

6 **IT IS SO ORDERED.**

7 Dated: March 6, 2015

8   
9 HAYWOOD S. GILLIAM, JR.  
United States District Judge

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28