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United States District Court
Northern District of California

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**ALLY BANK, FIDELITY NATIONAL TITLE
INSURANCE COMPANY, ET AL.,**

Plaintiffs,

vs.

**JAMES C. CASTLE AKA J. CHRISTOPHER
CASTLE, ET AL.,**

Defendants.

Case No.: 11-CV-896 YGR

**ORDER GRANTING MOTION AUTHORIZING
SERVICE ON DEFENDANT GEORGE LARSEN
BY ELECTRONIC MAIL**

On March 7, 2013, Plaintiffs Fidelity National Title Insurance Company, Commonwealth Land Title Insurance Company, Ally Bank, Wesley W. Halihan, Gina L. Halihan, Dawn R. Carifi, Brian Phuong, Crichton Friedly, Janet N. Friedly, Chicago Title Insurance Company, Julian Massa And Alison Massa (“Plaintiffs”) and Cross-Claimants Magan Arthur And Joan Hangarter (“Cross-Claimants”) (collectively “Moving Parties”) filed their administrative Motion Authorizing Service by E-Mail or Publication on Defendant George Larsen. (Dkt. No. 360.) No opposition has been filed.

The Court having carefully considered the documents and evidence on file in this matter, and the papers submitted and evidence in support of the Motion, **GRANTS** the Motion as stated herein. Because electronic mail appears to be the means most reasonably calculated to apprise Defendant George Larsen (“Larsen”) that he is a defendant in this lawsuit, service by electronic mail is

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appropriate. *See Rio Properties, Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1018 (9th Cir. 2002) (it is within the district court's discretion to balance the limitations of email service against its benefits in any particular case). Plaintiffs have made multiple attempts to determine Larsen's current residence and business addresses, and have diligently attempted to serve process by conventional means without success. The evidence indicates that the electronic mail address provided has been confirmed recently to be operative and that e-mail sent to that address has been received by Larsen. Indeed, communication by electronic mail appears to be the only effective means of contacting this Defendant. Moreover, Larsen has demonstrated that he is aware of the pending lawsuit.

Plaintiffs may serve the summons and operative complaint and Cross-Claimants may serve their Cross-Claims on George Larsen by:

(1) serving a copy of this Order, along with the summons and complaint/cross-claim via e-mail to georgelarsen61@gmail.com.

(2) by mailing an additional copy of this Order, along with the summons and complaint/cross-claim to the post office address in Placer County as provided by George Larsen.


The hearing, set in error on this administrative motion, for April 16, 2013, is **VACATED**.

The compliance hearing set for April 19, 2013, is **VACATED**.

This Order terminates Docket No. 360.

IT IS SO ORDERED.

Dated: April 9, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE