

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01315-RBJ-MJW

DAVID GEORGE,

Plaintiff,

v.

BONNIE LEIGHTON,  
BARBARA SMITH,  
COLORADO REAL ESTATE NETWORK, INC., and  
JOYCE ANN WAYMAN,

Defendant.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion for Costs of Service (Docket No. 25) is DENIED WITHOUT PREJUDICE.

Plaintiff's motion states that a waiver of service was mailed to Defendant Wayman. It further states that formal service affected in Florida. But the motion neither (1) states, nor (2) provides documentation showing, that the waiver request was mailed to the correct address, in Florida. Defendant Wayman provided an affidavit stating that she received no request for waiver, and that testimony stands uncontradicted at the moment. Accordingly, Plaintiff's motion is DENIED, with leave to renew should he be able to provide proof that he mailed a waiver request complying with Fed. R. Civ. P. 4(d)(1).

Date: September 15, 2015

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