



that the defendant waive service of a summons.” Fed. R. Civ. P. 4(d)(1). If a plaintiff does request waiver of service, the plaintiff must “give the defendant a reasonable time of at least 30 days after the request was sent ... to return the waiver[.]” *Id.*

Here, the Plaintiff’s counsel waited over 30 days after mailing a waiver of service form to the Defendant to have the Defendant personally served. (Doc. 7-1 at 22, 26). Because the Defendant failed without good cause to waive service, the Court is authorized to impose upon the Defendant “the expenses later incurred in making service[.]” along with “the reasonable expenses, including attorney’s fees, of any motion required to collect those service expenses.” Fed. R. Civ. P. 4(d)(2).

Accordingly, the Plaintiff’s Motion (Doc. 7) is **GRANTED**, and the Court **ORDERS** that the Defendant shall pay the Plaintiff for his attorney’s fees and costs in having to bring this Motion in the amount of \$1,029.00 and that payment shall be made to the Plaintiff within **30 days** of the entry of this Order.

**SO ORDERED**, this the 30th day of January, 2013.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT