

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	Case No. 1:16-cv-11697-RGS
Plaintiff,)	
)	
v.)	
)	
RONALD LUPICA and)	
TOWN OF FAIRHAVEN,)	
and John Does 1-100,)	
)	
Defendants.)	
_____)		

ORDER

The Court, having considered the United States’ Motion to Allow Service by Publication, having, and it appearing to the Court that this is an action to enforce a lien on real property located within this judicial district at 508 Ocean Meadows, Fairhaven, Massachusetts, a/k/a 484 Washington Street, Unit 508, Fairhaven, Massachusetts, a/k/a 484 Washington Street, Unit E8, Fairhaven, Massachusetts, and more fully described as:

An address of Unit 508, 484 Washington Street, Fairhaven, MA 02719, with quitclaim covenants, Unit E8 (designated Unit 508 for mail address purposes only), in the Ocean Meadow Condominium, a condominium established in Fairhaven, Bristol County, Massachusetts, pursuant to M.G.L. Chapter 183A by Master Deed dated May 28, 1987 recorded with the Southern Bristol County Registry of Deeds in Book 2028, Page 312 (“The Master Deed”), as amended of record, which Unit is shown on the floor plans recorded simultaneously with the Eighth Amendment to the Master Deed in Book 3146, Page 084.

And it further appearing that the defendants, John Does 1-100, being any person who claims to be a child of Anna Lytell (deceased) of Fairhaven, Massachusetts, or claims to be a beneficiary of Anna Lytell’s will, cannot be personally served with process in this state as their present whereabouts and identities are unknown and cannot be discovered by the exercise of due diligence; that personal service on such defendants is therefore not practicable; that service by

publication is proper under the provisions of 28 U.S.C. § 1655 and Rule 4(e) of the Federal Rules of Civil Procedure; and for good cause shown; it is hereby

ORDERED that the defendants, John Does 1-100, appear or plead to the United States' complaint on or before June 30, 2017. [~~8 weeks from the date of this Order~~]

FURTHER ORDERED that, beginning no more than 14 days from the date of this order, a copy of this order be published once a week for 6 weeks in *The Standard-Times*, a newspaper of general circulation based in New Bedford, Massachusetts.

FURTHER ORDERED that if the defendants, John Does 1-100, do not appear or plead within the time specified, the Court will proceed with the above-entitled action as if the defendants had been served with process within this state, but any adjudication will, as regards the defendants, John Does 1-100, affect only the property which is the subject matter of this action.

IT IS SO ORDERED:

Dated: April 28, 2017

Richard A. Stamm
UNITED STATES DISTRICT JUDGE

171. DE. 1000

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