

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Delois Beard,

Plaintiff,

v.

Case No. 09-14644

Allstate Indemnity Company,

Honorable Sean F. Cox

Defendant.

ORDER GRANTING MOTION TO QUASH SERVICE

Acting *pro se*, Plaintiff Delois Beard (“Plaintiff”) filed this action against Defendant Allstate Indemnity Company (“Defendant”) on November 30, 2009. In an Order dated December 11, 2009, this Court granted Plaintiff’s request for service by the U.S. Marshal.

On December 22, 2009, Klemanski & Associates, P.C. (“Klemanski”) filed the instant Motion to Quash Service. (Docket Entry No. 7). In this motion, Klemanski states that on December 18, 2009, it “received from the U.S. Marshals Service by first class mail the Summons and Complaint commanding Klemanski & Associates, P.C. to acknowledge service” in this matter. (*Id.* at 1). Klemanski states that although it has represented Defendant in some matters, it is not authorized to accept service on behalf of Defendant and asks this Court to quash the purported service upon it of the summons and complaint in this action, pursuant to FED. R. CIV. P. 4(h)(1)(B).

Having reviewed Klemanski’s motion, and the attached affidavit, the Court hereby **GRANTS** the motion and **QUASHES** the purported service on Klemanski. The Court shall so advise the U.S. Marshal Service and direct that Defendant be properly served.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: January 5, 2010

I hereby certify that on January 5, 2010, a copy of the foregoing document was served upon counsel of record by electronic means and upon Delois Beard via First Class Mail at the address below:

Delois Beard
1919 N Willow
Lansing, MI 48197

S/Jennifer Hernandez

Case Manager