



In order for a party to serve a United States agency, it must serve the United States and also send a copy of the summons and complaint by registered or certified mail to the agency. Fed. R. Civ. P. 4(i)(2). The court finds that service of process is insufficient, even though the defendant has constructive notice, because the plaintiff failed to deliver a copy of the summons and complaint to the United States Attorney's office for the District of Nebraska, as required by Rule 4(i)(1)(A).

Defendant has also filed a motion to extend time to respond to plaintiff's motion to strike, Filing No. [23](#). The court will grant this motion and allow defendant ten days from the date the plaintiff effectuates service on the United States Attorney's office to respond to the motion to strike.

IT IS THEREFORE ORDERED:

1. Plaintiff has thirty days from the date of this order to effectuate service of process on the United States Attorney's office. Failure to do so may result in dismissal of this case.

2. Defendant's motion to extend time, Filing No. [23](#), is granted and defendant has ten days from the date service of process is effectuated on the United States Attorney's office to respond to plaintiff's motion to strike defendant's motion to dismiss.

DATED this 24<sup>th</sup> day of June, 2009.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief District Judge