

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TRUSTEES OF THE TEAMSTERS LOCAL,  
631 SECURITY FUND FOR SOUTHERN  
NEVADA

Plaintiffs,

vs.

RAYMOND ALLEN,

Defendant.

Case No. 2:12-cv-01762-RCJ-GWF

**ORDER**

Motion for Extension of Time and  
Service by Publication (#6)

This matter comes before the Court on Plaintiffs Trustees of Teamsters Local 631's ("Plaintiffs") Motion for Extension of Time and Service by Publication (#6), filed on January 2, 2013. The current deadline for service of process is February 4, 2013. Plaintiffs seek an extension of the deadline to May 6, 2013, and leave for service by publication.

Nevada Rule of Civil Procedure 4(e)(1)(i) permits service by publication by court order if (1) the person cannot be found within the state, (2) a cause of action exists against that person, and (3) the person is a necessary or proper party to the action. Federal Rule of Civil Procedure 4(m) permits an extension of time for service upon a showing of good cause. The Court finds Plaintiffs have diligently attempted to serve Defendant Raymond Allen ("Defendant") at various known addresses of Defendant. *See Doc. #6* at 2:25 to 3:26. The Court also finds Plaintiffs establish good cause for an extension of time to permit service by publication. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs' Motion for Extension of Time for Service of Process and for Service by Publication (#6) is **granted**.


...

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IT IS FURTHER ORDERED** that Plaintiffs may serve Defendant Raymond Allen by publication.

**IT IS FURTHER ORDERED** that the deadline for service of process is extended to **May 6, 2013**.

DATED this 7th day of January, 2013.

  
\_\_\_\_\_  
GEORGE FOLEY, JR.  
United States Magistrate Judge