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13 Attorneys for Plaintiffs Sandy Cooper  
14 and Garden Meadow, Inc.

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 SANDY COOPER, an individual, GARDEN  
12 MEADOW, INC., a Connecticut Corporation,  
13  
14 Plaintiffs,  
15  
16 vs.  
17 GALYFORD (HK) LIMITED, a Chinese  
18 Company,  
19  
20 Defendant.

Case No. 2:13-cv-01520-JAD-NJK

**REQUEST TO ENLARGE TIME FOR SERVICE**

18 Plaintiffs Sandy Cooper and Garden Meadow (“Plaintiffs”), by and through their  
19 attorneys of record, Jolley Urga Wirth & Woodbury, hereby submit this request to enlarge time  
20 for service.

21 Plaintiffs filed this action on August 22, 2013. Since then, Plaintiffs have attempted to  
22 effectuate service on Defendant Pursuant to Fed. R. Civ. P. 4(f)(1) and the Hague Convention on  
23 Service Abroad of Judicial and Extrajudicial Documents (hereinafter the “Hague Convention”).  
24 Even though Plaintiffs properly served process in this action pursuant to the Hague Convention,  
25 the Chinese Ministry of Justice (the “Ministry”) refused to effectuate service and returned  
26 Plaintiffs’ documents. The return of the documents was accompanied by a letter from the  
27 Ministry claiming that they could not serve the documents because the “Chinese translation  
28

1 doesn't match with the original documents." See Letter attached hereto as Exhibit 1. Rather  
2 than actually comparing the text of the original and its translation, the Ministry appears to be  
3 relying on the fact that the Chinese translation had more pages than the original as a basis for its  
4 rejection.

5  
6 Plaintiffs encountered similar difficulties in serving Galyford's alter ego, Ningbo  
7 Xingqiang Metallic Products Co. Ltd. ("Ningbo") in this case's companion case Cooper, et al v.  
8 Ningbo, 2:12-cv-00698-JCM-GWF. Despite numerous attempts to serve the defendant in that  
9 case, the Ministry refused to serve process, each time claiming there was a defect in the papers,  
10 such as not being able to find the name and address in of the defendant (despite the fact that the  
11 information was conspicuous in a number of places in the documents.) In fact, it took eleven  
12 months and multiple attempts before the Ministry served Ningbo in that action.

13 Anticipating further difficulties in serving process pursuant to the Hague Convention,  
14 Plaintiffs respectfully request that the time for service be extended to February 13, 2014.  
15 Although Plaintiffs are aware that the Fed. R. Civ. P. 4(m) 120-day limitation on service does  
16 not apply to service pursuant to Hague Convention and Fed. R. Civ. P. 4(f), Plaintiffs are seeking  
17 to preserve their rights to serve Galyford by alternative means. Further, it is Plaintiffs' desire to  
18 also inform this Court of its diligent efforts to serve process in this case and that, based on their  
19 prior experiences, it anticipates difficulties in serving Galyford.

20 Dated this 19th day of December 2013.

21 JOLLEY URGA WIRTH & WOODBURY

22 **ORDER**

23 IT IS SO ORDERED.

24 Date: 12/30/2013

25  
26   
27 UNITED STATES DISTRICT JUDGE

By: /s/ Tyler N. Ure

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# **EXHIBIT “1”**

**中华人民共和国司法部**  
**Ministry of Justice, People's Republic of China**  
No. 6, Chaoyangmen Nandajie, Chaoyang District, Beijing 100020, China  
Tel: +86 10 6515 3113 Fax: +86 10 6515 3144

2013-SXS-1576

Garden Meadow, Inc. by Counsel  
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U.S.A.

The Request for the service of documents has been received.

We regretfully return your request because it does not comply with the provisions of the Hague Convention on the Service abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (hereinafter referred to as the Convention), and the Declaration made by the People's Republic of China at the time of its accession. The specific reasons for the return are as follows (the item/items below which is/are marked with X ):

- ( ) The address of the person to be served upon is not sufficiently provided (Paragraph 2 of Article 1).
- ( ) The form of the Request does not conform to the model annexed to the Convention (Paragraph 1 of Article 3).
- ( ) The terms in the Request are not written in the languages specified by the Convention (Article 7).
- ( ) The Request and the documents to be served are not furnished in duplicate (Paragraph 2 of Article 3).
- ( ) The documents to be served are not written in, or translated into Chinese (Article 5).1
- ( ) The case relating to the request does not fall into the scope of the Convention (Paragraph 1 of Article 1).
- ( ) The execution of the request would infringe the sovereignty or security of the People's Republic of China (Article 13).

(X) Others: The Chinese translation doesn't match with the original documents. The Chinese translations are obviously more than the English papers.

International Legal Cooperation Center  
Ministry of Justice  
People's Republic of China  
Done at Beijing, October 9, 2013  
最高人民法院司法协助专用章

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