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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

ORDER GRANTING
REQUEST TO ENLARGE TIME FOR
SERVICE
(Second Request)

18 Plaintiffs Sandy Cooper and Garden Meadow, Inc. ("Plaintiffs"), by and through their
19 attorneys of record, Jolley Urga Woodbury & Little, hereby notify the Court of the status of
20 service of the complaint in the above matter.

21 Plaintiffs filed this action on August 22, 2013. (Doc. No. 1.) Plaintiffs then attempted,
22 unsuccessfully, to effectuate service on Defendant pursuant to Fed. R. Civ. P. 4(f)(1) and the
23 Hague Convention on Service Abroad of Judicial and Extrajudicial Documents (hereinafter the
24 "Hague Convention"). Although aware that the 120-day service limit of Rule 4(m) does not
25 apply to service in a foreign country under Rule 4(f), Plaintiffs deemed it prudent to advise the
26 Court of the status of service and filed a request to enlarge time for service. (Doc. No. 6.) The
27 principal purpose of the request was to inform the Court and make a record of the problems with
28

1 serving the Defendant since at some point Plaintiffs will be seeking a default. The request
2 attached a letter from the Chinese Ministry of Justice (the “Ministry”) refusing to effectuate
3 service. (*Id.* at Ex. 1.) This Court granted an order providing until February 13, 2014 to effect
4 service. (Doc. No. 7.)

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6 The process of investigating the reasons proffered by the Ministry for refusing to
7 effectuate service was somewhat complex. It involved re-evaluating the complaint filed in this
8 action and comparing it with its counterpart version translated into Chinese. After finding that
9 the documents presented to the Ministry were proper, Plaintiffs sent the documents back to the
10 Ministry again asking it to effect service. (*See* Letter dated January 9, 2014 to Ministry, attached
11 hereto as Ex. 1.) To Plaintiffs’ knowledge, the Ministry has not effected service as of the date of
12 this filing.¹

13 Plaintiffs request that the Court set a status check for August 13, 2014 regarding service
14 and, to the extent the Court deems appropriate, that the time to serve be extended to that date.

15 Dated this 13th day of February 2013.

16 JOLLEY URGA WOODBURY & LITTLE

17 **ORDER**

18 IT IS SO ORDERED.

19 DATE: 3/5/2014

20 By: /s/ Tyler N. Ure

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21
22 
23 United States Magistrate Judge
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27 ¹ Plaintiffs encountered similar difficulties in serving Galyford’s alter ego, Ningbo Xingqiang
28 Metallic Products Co. Ltd. (“Ningbo”), in the companion case of *Cooper, et al v. Ningbo*, 2:12-
cv-00698-JCM-GWF. The Ministry tendered one excuse after another in refusing to serve,
finally effecting service after 11 months.