1	UNITED STATES DISTRICT COURT		
2	DISTRICT OF NEVADA		
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4	ELMA HENDERSON,) Case No. 2:16-cv-01837-JAD-CWH	
5	Plaintiff,		
6	V.		
7	THOMAS ROBERT HUGHES, et al,	ORDER	
8	Defendants.		
9)	
10	Presently before the Court are Defendants Odin Statutory Trust (OST) and Northstar Global		
11	BT's (Northstar) motions to quash (ECF Nos. 55 and 58), filed on October 28, 2016. Plaintiff filed a		
12	response (ECF No. 59) on November 1, 2016. Defendants did not file a reply.		
13	Also before the Court are Defendants Bob Creek Trust (BCT) and Colindo Trust's (Colindo)		
14	motions to quash (ECF Nos. 62 and 64), filed on November 4, 2016. Plaintiff filed a response (ECF		
15	No. 72) on November 11, 2016. Defendants filed replies (ECF Nos. 78 and 79) on November 23,		
16	2016.		
17	In each motion, Defendants allege service was invalid for failure to properly name them in		
18	the caption of the summons and complaint. In response, Plaintiff argues that it validly served		
19	Defendants through service on Thomas Robert Hughes (trustee of OST and Northstar) and Frank		
20	Finnerty (trustee of BCT and Colindo) in their representative capacities.		
21	Defendants do not argue that Hughes and Finnerty were not personally served, and they		
22	acknowledge that Hughes and Finnerty are trustees of the respective named trusts. Both parties		
23	appear to agree that Nevada law for service of process controls for these Defendants. As such, for		
24	this case, a claim "may be asserted against [a] trust by proceeding against the trustee in the capacity		
25	of representative, whether or not the trustee is personally liable on the claim." NRS 163.120(1).		
26	Therefore, it is not relevant whether any claims have been asserted against Hughes or Finnerty		
27	personally. Further, the effectiveness of service does not depend on whether Plaintiff's claims are		
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1	against the named trusts, or rather Finnerty and Hughes in their representative capacities of the trusts.	
2	Plaintiff's service of Defendants was therefore valid.	
3	IT IS THEREFORE ORDERED that Defendants' motions to quash (ECF Nos. 55, 58, 62,	
4	and 64) are DENIED.	
5	DATED: February 1, 2017.	
6	Curst	
7	C.W. Hoffman, Jr.	
8	United States Magistrate Judge	
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