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7 *Ye Li as trustee of the 688 Lee Family Trust*

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 YE LI AS TRUSTEE OF THE 688 LEE  
12 FAMILY TRUST,

13 Case No.: 2:22-cv-00038-JCM-EJY

14 Plaintiff,

15 vs.

16 WU YUYING,

17 Defendant.

18 **[PROPOSED] ORDER EXTENDING TIME FOR SERVICE**

19 Plaintiff YE LI (“Plaintiff” or “Li”) filed his Complaint for Quiet Title on January 7, 2022  
20 (ECF N. 1). The Summons was issued on January 21, 2022. (ECF No. 7).

21 On April 25, 2022, the Clerk issued a Notice Regarding Intention to Dismiss Pursuant  
22 to Rule 4(m) of the Federal Rules of Civil Procedure. (ECF No. 8) On May 1, 2022, in response  
23 to the Clerk’s Notice, Li filed a Motion to Extend Time for Service. (ECF No. 10).

24 An individual in a foreign country may be served “by any internationally agreed means  
25 of service that is reasonably calculated to give notice, such as those authorized by the Hague  
26 Convention on the Service Abroad of Judicial and Extrajudicial Documents.” FRCP 4(f)(1).

27 “If a defendant is not served within 90 days after the complaint is filed, the court—on  
28 motion or on its own after notice to the plaintiff—must dismiss the action without prejudice  
against that defendant or order that service be madeS within a specified time.” FRCP 4(m).  
However, “subdivision (m) does not apply to service in a foreign country under Rule 4(f),  
4(h)(2), or 4(j)(1), or to service of a notice under Rule 71.1(d)(3)(A).” *Id.* If a plaintiff shows

1 good cause for failing to file the complaint within 90 days after the complaint is filed, "the court  
2 *must* extend the time for service for an appropriate period." FRCP 4(m) (emphasis added).

3 Rule 4(m) does not apply here, because Yuying is an individual residing in China. As  
4 such, Li may serve Yuying under FRCP 4(f). Based on the affidavit of Maria Gutierrez, President  
5 of Judicial Process and Support, Inc., this Court finds Plaintiff Li has acted diligently in his  
6 efforts to effect serve upon Yuying in China pursuant to FRCP 4(f) and the Hague Convention.  
7 This Court finds that 12 months is an appropriate period for Plaintiff to serve the Defendant.

8 Therefore, the time within which to serve the Defendant WU YUYING within the  
9 Summons and Complaint is hereby extended an additional 9 months, to and includes the 21th  
10 day of January, 2023. If Plaintiff requires additional time, he must file a motion before the  
11 deadline to serve Defendant, setting forth the efforts taken to attempt service and setting forth  
12 good cause for extending the deadline further.

13 IT IS SO ORDERED.

14 DATED this 10th day of May, 2022.

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LEAH J. ZOUCHAK  
UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted By:

AJS LEGAL

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