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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL CHARLES MEISLER,)
)
Plaintiff,)
)
vs.)
)
NADINE CHRZANOWSKI, et al.,)
)
Defendants.)
_____)

3:12-cv-00487-MMD-WGC

ORDER
re: Doc. ## 45, 64

Before the court is Plaintiff’s Motion to Compel the Entry of Default Against Sprint-Nextel, Inc. (Doc # 64.¹) Plaintiff’s motion represents he served Sprint-Nextel’s resident agent, a company named CSC Services of Nevada, Inc. (*Id.*, at 2.) Plaintiff also filed an earlier motion seeking entry of default against Sprint-Nextel. (Doc. # 45.) Essentially the representations in this motion (Doc. # 45) are the same as in the later filed motion (Doc. # 64.) This order will pertain to both motions.

Plaintiff’s complaint describes “Sprint-Nextel” as follows:

Sprint-Nextel, Inc., a defendant, is a Kansas corporation in the business of providing wireless communication services as a cellular telephone services provider on a global network and specifically conducts business in the stream of interstate commerce and in the State of Nevada as a foreign corporation possessing a license and with authority to do business in the State of Nevada under a certificate of authority issued by the Secretary of State of the State of Nevada all in accordance with and defined by with NRS §§ 704.028 and 707.656, hereinafter referred to as Sprint.

Doc. # 4 at 5, ¶ 13.

Plaintiff’s original motion sought to effect a default against “Sprint-Nextel, Inc.” (Doc. # 45.) When Plaintiff filed his motion for default on April 1, 2015, Plaintiff’s amended complaint (Doc. # 20) was the operative pleading. (Order Adopting Report and Recommendation allowing First Amended Complaint to proceed in part, 7/28/14; Doc. # 22.) Plaintiff’s amended complaint, however, changed the name from “Sprint-Nextel, Inc.” as it appeared in his initial complaint (Doc. # 4 at 5 ¶ 13), to an

¹ Refers to court’s docket number.

1 entity referred to as “Sprint-Nextel Communications, Inc., a Kansas Corporation, licensed to do business
2 in Nevada.” (Doc. # 20 at 4, ¶ 11.) The summons which Plaintiff served, which was after Plaintiff
3 amended his complaint, referred to process on Sprint-Nextel, Inc. (not Sprint-Nextel Communications),
4 being effected “by serving its resident agent, Prentice Hall Corp. Systems, Inc., 3760 Pecos McCloud
5 #3, Las Vegas, Nevada 89121.” (Doc. # 34.) However, the return of service on Plaintiff’s summons does
6 not reflect service on Prentice Hall Corp Systems, but rather upon “CSC Services of Nevada.” The
7 address for CSC Services is identified as 2215 B. Renaissance Drive, Las Vegas, Nevada 89119, which
8 is a different address than the one for Prentice Hall Corporation. Plaintiff submits no documentation that
9 “CSC Services of Nevada” is the resident agent for “Sprint-Nextel, Inc.”

10 According to the court’s research, the Nevada Secretary of State’s “Nevada Business Search”
11 states “No Results Found” for a business known as “Sprint-Nextel, Inc., in Nevada. (Exhibit 1.)

12 The court next visited the Kansas Secretary of State’s website and did a business entity search
13 for “Sprint-Nextel, Inc.” As reflected in Exhibit 2, Kansas Secretary of State also does not identify a
14 corporate entity in that state under that name. However, the website did cross reference to an entity
15 named “Sprint Communications, Inc.,” an active Kansas corporation in good standing. (*Id.*) According
16 to additional documentation on the Kansas Secretary of State website, Sprint Communications, Inc., was
17 formerly known as “Sprint Nextel Corporation.” (Exhibit 3.) However, there is no listing on the Kansas
18 Secretary of State website for the currently-named defendant, “Sprint-Nextel Communications.”

19 The court returned to another search of the Nevada Secretary of State’s website. No company
20 was listed as “Sprint Communications, Inc.” However, a company named “Sprint Communications
21 Company Limited Partnership” appeared on the Secretary of State’s website. (Exhibit 4.) The resident
22 agent for “Sprint Communications Company Limited Partnership” is reflected as being the Prentice-Hall
23 Corporation System, Nevada, Inc. (Exhibit 5.)

24 Both motions for default (Doc. ## 45, 64) sought a default against “Sprint-Nextel, Inc. However,
25 that is not the entity Plaintiff sued in his amended complaint, i.e., “Sprint-Nextel Communications, Inc.”

26 The court expresses no opinion as to whether Sprint Communications Company Limited
27 Partnership or Sprint-Nextel Communications, Inc., or either of them, are successors to Sprint-Nextel,
28 Inc., the company Plaintiff originally sued. Nevertheless, it reasonably appears Sprint-Nextel, Inc., is not

1 a viable entity in either Kansas or Nevada. Additionally, the service affidavit does not reflect service
2 upon the entity Plaintiff represented in the summons was the resident agent for whatever Sprint entity
3 against which Plaintiff may be proceeding (i.e., Prentice Hall Corp.; Doc. # 34 at 1), but as noted above,
4 service was instead made upon a company known as CSC Services of Nevada.

5 Plaintiff's motions are defective in that the entity against which he seeks a default (Sprint-Nextel,
6 Inc.) is not the entity Plaintiff has identified in his amended complaint, Sprint-Nextel Communications,
7 Inc. The motions are further defective by failing to reflect proper service upon the resident agent,
8 whatever the correct corporate entity may be.²

9 Plaintiff's motions (Doc. ## 45, 64) are **DENIED**.

10 **IT IS SO ORDERED.**

11 DATED: August 6, 2015.

12 
13 WILLIAM G. COBB
14 UNITED STATES MAGISTRATE JUDGE

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27 ² Exhibit 5, the business entity information from the Nevada Secretary of State website for the entity known as Sprint
28 Communications Company, identifies the company's resident agent as the Prentice Hall Corporation System, but again,
Prentice-Hall is not the entity Plaintiff served.

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EXHIBIT 1



Nevada Business Search

* Includes Trademarks, Trade Names, Service Marks, Reserved Names & Business Licenses

* Search by:

Entity Name

Sprint-Nextel, Inc

Include Phonetic Matches:

Sort By:

Relevance

Descending Ascending order

[Search Tips](#)

No Results Found

[Disclaimer \(\)](#)

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EXHIBIT 2

[Kansas.gov](#) | [State Phone Directory](#) | [Online Services](#)

[Home](#) | [Contact](#) | [FAQs](#)



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| | | | |
|----------|----------|-------------|---------|
| Thinking | Starting | Maintaining | Closing |
|----------|----------|-------------|---------|

Business Entity Search

Search Results

Searched: sprint-nextel, inc.

A maximum of 400 search results are displayed. Visit [Helpful Hints](#) if search assistance is needed.

Your search results are listed below. You may select a specific business to view more detailed information, as well as obtain a certificate or letter of good standing.

Results

| | Name | ID Number | Status |
|-----------------------------|-----------------------------|-----------|-----------------------------|
| View Record | SPRINT COMMUNICATIONS, INC. | 0105585 | ACTIVE AND IN GOOD STANDING |

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EXHIBIT 3

[Kansas.gov](#) | [State Phone Directory](#) | [Online Services](#)[Home](#) | [Contact](#) | [FAQs](#)

Kansas Business Center

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[Thinking](#)[Starting](#)[Maintaining](#)[Closing](#)

Business Entity Search

Date: 08/05/2015

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Business Summary

Current Entity Name

SPRINT COMMUNICATIONS, INC.

[File Name Change Online](#)**Business Entity ID Number**

0105585

[View History and Documents](#)**Previous Names:**

UNITED UTILITIES, INCORPORATED

Previous Names:

UNITED TELECOMMUNICATIONS, INC.

Previous Names:

SPRINT CORPORATION

Previous Names:

SPRINT NEXTEL CORPORATION

Current Mailing Address: T FREDERICK - 6500 SPRINT PKWY HL- 5A STX, OVERLAND PARK, KS 66251[Update](#)**Business Entity Type:** KANSAS FOR PROFIT CORPORATION**Date of Formation in Kansas:** 11/15/1938**State of Organization:** KS

Current Status: ACTIVE AND IN GOOD STANDING

[Certificate of Good Standing](#)

Resident Agent and Registered Office

Resident Agent: CORPORATION SERVICE COMPANY

Registered Office: 200 S.W. 30TH STREET, TOPEKA, KS 66611

[Update Resident Agent/Office](#)

Annual Reports

The following annual report information is valid for active and delinquent status entities only.

Tax Closing Month: 03

The Last Annual Report on File: 03/2015

Next Annual Report Due: 07/15/2016 [File Online](#)

Forfeiture Date: 10/15/2016

[Close Your Business](#)

Be advised the business information on this page is for summary informational purposes only. It is not an official filing with the Secretary of State's office and should not be relied on as such. Please view actual documents filed by customers with the secretary of State's office to ensure accurate information. When filing a Uniform Commercial Code statement on an entity, consult with your attorney to ensure the correct debtor name.

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EXHIBIT 4



Nevada Business Search

* Includes Trademarks, Trade Names, Service Marks, Reserved Names & Business Licenses

* Search by:

Entity Name

sprint communications, inc.

Include Phonetic Matches:

Sort By:

Relevance

Descending Ascending order

[Search Tips](#)

Search Results 1 - 1 of 1 search results

[Click Manage this Business to file online via SilverFlume. Disclaimer](#)

| Entity Name | NV Business ID | Status | Type | Action |
|--|------------------|-----------|--------------------------------|--|
| SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP () | NV19881004212 () | Active () | Foreign Limited Partnership () | Manage this Business (/businessSearch/manageT7Business?businessEntityNumber=LP423-1988) |

[Disclaimer \(\)](#)

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EXHIBIT 5

SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP

Business Entity Information

| | | | |
|-------------------|-----------------------------|-----------------------|------------|
| Status: | Active | File Date: | 11/23/1988 |
| Type: | Foreign Limited Partnership | Entity Number: | LP423-1988 |
| Qualifying State: | DE | List of Officers Due: | 11/30/2015 |
| Managed By: | | Expiration Date: | 11/23/2988 |
| NV Business ID: | NV19881004212 | Business License Exp: | 11/30/2015 |

Additional Information

| | |
|--------------------|--|
| Central Index Key: | |
|--------------------|--|

Registered Agent Information

| | | | |
|--------------------|--|--------------------|-----------------------|
| Name: | THE PRENTICE-HALL CORPORATION SYSTEM, NEVADA, INC. | Address 1: | 2215-B RENAISSANCE DR |
| Address 2: | | City: | LAS VEGAS |
| State: | NV | Zip Code: | 89119 |
| Phone: | | Fax: | |
| Mailing Address 1: | | Mailing Address 2: | |
| Mailing City: | | Mailing State: | NV |
| Mailing Zip Code: | | | |
| Agent Type: | Commercial Registered Agent - Corporation | | |
| Jurisdiction: | NEVADA | Status: | Active |

Financial Information

| | | | |
|---------------------|---|-----------------|------|
| No Par Share Count: | 0 | Capital Amount: | \$ 0 |
|---------------------|---|-----------------|------|

No stock records found for this company

Officers

Include Inactive Officers

| | | | |
|-----------------------------------|---------------------|------------|-----|
| General Partner--US TELECOM, INC. | | | |
| Address 1: | 6200 SPRINT PARKWAY | Address 2: | |
| City: | OVERLAND PARK | State: | KS |
| Zip Code: | 66251 | Country: | USA |
| Status: | Active | Email: | |

Actions\Amendments