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8 Attorney for Plaintiff
9 KPI Bridge Oil, Inc.

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 KPI BRIDGE OIL, INC.,

13 Plaintiff,

14 v.

15 WILMINGTON TRUST COMPANY; TERAS
16 CARGO TRANSPORT (AMERICA) LLC;
17 TERAS BREAKBULK OCEAN NAVIGATION
18 ENTERPRISES LLC; TRUENORTH
19 TRANSPORT LLC,

20 Defendants.

IN ADMIRALTY

CASE NO.: 3:17-cv-007-MMD-VPC

**MOTION FOR AN ORDER
APPOINT A SPECIAL PROCESS
SERVER PURSUANT TO RULE
4(C) AND SCOPE OF SERVICE**

21 COMES NOW Plaintiff, KPI BRIDGE OIL, INC., by and through undersigned
22 counsel, and respectfully moves this Honorable Court for an Order Appointing a Special
23 Process Server Pursuant to Rule 4 (C) of the Federal Rules of Civil Procedure. Plaintiff desires
24 that Process of Maritime Attachment and Garnishment be served on the garnishee(s) with all
25 deliberate speed so that it will be fully protected against the possibility of the Defendant not
26 satisfying the claim Plaintiff has against it. Counsel for Plaintiffs of the law firm Michael R.
Mushkin & Associates, P.C. and/or their designated agent, all of whom are over 18 years of
age and not party to this action, will act as Special Process Server to effect service of Process
of Maritime Attachment and Garnishment on the named garnishee(s).

1 To the extent that the Application for an Order Appointing a Special Process Server
2 with respect to this attachment and garnishment does not involve a restraint of physical
3 property, there is no need to require that the service be effected by a U.S. Marshal as it simply
4 involves the delivery of process to the garnishee(s) who are believed to be in possession of the
5 Defendant's tangible or intangible property.

6 Plaintiff also requests that the Court grant it leave to serve any additional garnishee(s)
7 who may be discovered during the course of this litigation to be holding property of the
8 Defendant within this District. By obtaining leave at this time to serve those other possible
9 garnishees, it will facilitate prompt serve of the process without the need to return to the Court
10 for permission to amend the process simply to name other garnishees. To avoid the need to
11 repeatedly serve the garnishee(s), Plaintiff respectfully seeks leave, as embodied in the
12 accompanying proposed orders, for any process served on a garnishee to be deemed effective
13 and continuous throughout any given day.

14 WHEREFORE, Plaintiff respectfully requests this Honorable Court grant the instant
15 motion, and appoint that the associates or paralegals or agents with the firm of Michael R.
16 Mushkin & Associates, P.C., who are over the age of 18 and not parties to this action, as a
17 special process server and such other and further relief as the Court may deem appropriate in
18 the circumstances.

19 Respectfully submitted,

20 Dated: December 12, 2016
21 Las Vegas, NV

Michael R. Mushkin & Associates, P.C.

22 By: /s/ Michael R. Mushkin
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Attorney for Plaintiff
KPI Bridge Oil, Inc.

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OF COUNSEL

Briton P. Sparkman

(Pro hac vice application forthcoming)

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Attorneys for Plaintiff

KPI Bridge Oil, Inc.

IT IS SO ORDERED

UNITED STATES DISTRICT JUDGE

DATED: _ January 12, 2017