

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICIA ANN BERRY,

Plaintiff,

-against-

EXPERIAN INFORMATION SOLUTIONS,
INC; TRANSUNION, LLC; EQUIFAX
INFORMATION SERVICES, LLC; MERRICK
BANK CORPORATION; and CONTINENTAL
FINANCE COMPANY, LLC,

Defendants.

24-CV-3143 (JGLC)

ORDER OF SERVICE

JESSICA G. L. CLARKE, United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action under the Fair Credit Reporting Act, alleging that Defendants violated the Act. By order dated April 26, 2024, Chief Judge Laura Taylor Swain granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees.

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the assistance of the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

To allow Plaintiff to effect service on Defendants through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for Defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to issue a summons for each Defendant, complete the USM-285 form with the address for each Defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: May 9, 2024
New York, New York



JESSICA G. L. CLARKE
United States District Judge

SERVICE ADDRESS FOR EACH DEFENDANT

1. Experian Information Solutions, Inc.
C T Corporation Systems, Registered Agent
28 Liberty Street, 42nd Floor
New York, NY 10005
2. Equifax Information Services, LLC
Corporation Service Company, Registered Agent
80 State Street
Albany, NY 12207
3. TransUnion, LLC
Corporation Service Company, Registered Agent
80 State Street
Albany, NY 12207
4. Merrick Bank Corporation
10705 S. Jordan Gateway #200
South Jordan, UT 84095
5. Continental Finance Company
4550 Linden Hill Rd Ste 400
Wilmington, DE 19808-2952