

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 RAUL LOPEZ, JR., *et al.*,

9 Plaintiffs,

10 v.

11 UNITED STATES SECRET SERVICE,

12 Defendant.

Case No. C15-0243RSL


SECOND ORDER REOPENING CASE
AND EXTENDING TIME FOR
SERVICE

13
14 This matter comes before the Court on plaintiffs' "Motion for Relief from Case
15 Dismissal." Dkt. # 21. This case has twice been dismissed for failure to timely serve defendants.
16 Plaintiff Carol Shilling maintains that an Assistant United States Attorney, Steven Gibralla,
17 agreed to accept service by mail, that she mailed him a copy of the complaint and summons, but
18 that she was acting pro se and was unaware that she had to file proof of service. She has now
19 retained counsel and seeks to correct any procedural errors that may have occurred.

20 Plaintiffs' motion is GRANTED. Plaintiffs shall have 90 days from the date of this Order
21 to serve defendants and to file proof of service in the docket. The reopening of the case is based
22 on Ms. Shilling's representations that defendant affirmatively waived formal service and
23 received a copy of the complaint within the limitations period. Nothing in this Order shall
24 preclude defendant from raising all available defenses, including insufficiency of service and/or
25 the statute of limitations.
26

SECOND ORDER REOPENING CASE AND
EXTENDING TIME FOR SERVICE

1 DATED this 21st day of April, 2017.

2
3 
4 Robert S. Lasnik
5 United States District Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26