

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ME2 PRODUCTIONS, INC.,  
  
Plaintiff,  
  
v.  
  
DAVID MATENDO, *et al.*,  
  
Defendants.

Case No. C17-1220RSL  
  
ORDER PERMITTING SERVICE  
BY MAIL

This matter comes before the Court on plaintiff’s “Motion to Permit Alternative Mail Service” on defendant John Chu. Dkt. # 19. Federal Rule of Procedure 4(e)(1) allows plaintiff to effect service “pursuant to the law of the state in which the district is located.” Washington law authorizes service by mail upon a showing that (a) defendant has made reasonably diligent efforts at personal service (Rodriguez v. James-Jackson, 127 Wn. App. 139, 140 (2005)), and (b) defendant resides in the state but has concealed herself in order to avoid service of process (RCW 4.28.100(4)).

Plaintiff has made multiple unsuccessful attempts to personally serve Mr. Chu. There is evidence that the named defendant resides at, or is associated with, the address identified by the ISP and used by the process server. In addition, inhabitants of the apartment have repeatedly declined to respond to the door and it appears that Mr. Chu is actively avoiding service. All of the prerequisites for allowing service by mail are therefore satisfied, and there is reason to believe that service by mail will effectively

1 notify defendant of the claims against him.

2  
3 Plaintiff's motion is GRANTED. Plaintiff may, therefore, accomplish service by  
4 depositing copies of the summons, complaint, and this Order in the United States Post  
5 Office directed to defendant Chu at his address.

6  
7 Dated this 11th day of December, 2017.

8 

9 \_\_\_\_\_  
10 Robert S. Lasnik  
11 United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26