

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ME2 PRODUCTIONS, INC.,

Plaintiff,

V.

MADALYNN ALEXANDER, *et al.*,

Defendants.

Case No. C17-1221RSL

ORDER PERMITTING SERVICE BY MAIL

This matter comes before the Court on plaintiff’s “Motion to Permit Alternative Mail Service” on defendant Arthur Dyachk. 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. Dyachk. 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. Dyachk 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 notify defendant of the claims against him.

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

Dated this 19th day of October, 2017.

Mrs Casnik

Robert S. Lasnik
United States District Judge