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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 ME2 PRODUCTIONS, INC.,

9 Plaintiff,

10 v.

11 MADALYNN ALEXANDER, *et al.*,

12 Defendants.

Case No. C17-1221RSL

ORDER PERMITTING SERVICE  
BY MAIL

13 This matter comes before the Court on plaintiff's "Motion to Permit Alternative  
14 Mail Service" on defendant Arthur Dyachk. Dkt. # 19. Federal Rule of Procedure 4(e)(1)  
15 allows plaintiff to effect service "pursuant to the law of the state in which the district is  
16 located." Washington law authorizes service by mail upon a showing that (a) defendant  
17 has made reasonably diligent efforts at personal service (Rodriguez v. James-Jackson,  
18 127 Wn. App. 139, 140 (2005)), and (b) defendant resides in the state but has concealed  
19 herself in order to avoid service of process (RCW 4.28.100(4)).

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

ORDER PERMITTING SERVICE BY MAIL - 1

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

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5 Dated this 19th day of October, 2017.

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8 Robert S. Lasnik  
9 United States District Judge  
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