

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GYM LAUNCH SECRETS LLC,

Plaintiff,

v.

TATE NORRIS,

Defendant.

CASE NO. C17-1773-JCC

ORDER

This matter comes before the Court on Plaintiff’s motion for service by publication (Dkt. No. 9). Having thoroughly considered the motion and supporting declarations of David Fryman (Dkt. No. 10) and Amanda Owen (Dkt. No. 11), the Court hereby GRANTS the motion for the reasons stated herein.

Federal Rule 4(e) provides, in relevant part,

“[S]ervice upon an individual from whom a waiver has not been obtained . . . may be effected in any judicial district of the United States . . . pursuant to the law of the state in which the district court is located, or in which service is effected, for the service of a summons upon the defendant in an action brought in the courts of general jurisdiction of the State.”

Fed. R. Civ. P. 4(e)(1). The Federal Rules of Civil Procedure thus allow service by a method authorized by Washington law where an action is brought in a federal court in Washington.

1 Washington law authorizes service by publication when Defendant is a resident of the
2 state, but “has departed therefrom with intent to defraud his or her creditors, or to avoid the
3 service of summons, or keeps . . . himself concealed therein with like intent.” Wash. Rev. Code
4 § 4.28.100(2). The Court finds the requirements for service by publication met based on the
5 Declarations of David Fryman and Amanda Owen, which outline numerous unsuccessful
6 attempts to locate and serve Defendant.

7 Plaintiff’s motion for service by publication (Dkt. No. 9) is GRANTED. Plaintiff may
8 affect publication by posting a copy of the summons and complaint to Defendant’s social media
9 accounts, as requested, in addition to publication complying with Revised Code of Washington
10 section 4.28.110.

11 DATED this 5th day of February 2018.

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15 John C. Coughenour
16 UNITED STATES DISTRICT JUDGE
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