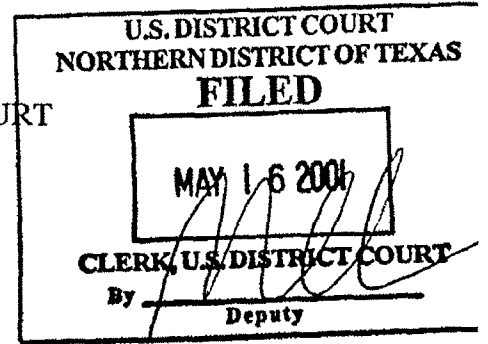


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



MICHAEL J. QUILLING, as Receiver §
for Hammersmith Trust, LLC, Hammersmith §
Trust, Ltd., Microfund, LLC, and §
Bridgeport Alliance, LLC §

Plaintiff, §

VS. §

ADAM SHAW, ET AL. §

Defendants. §

NO. 3-00-CV-1405-M



ORDER

Michael J. Quilling, as Receiver for Hammersmith Trust, LLC and related entities, has filed a motion to compel certain defendants to pay all costs incurred to effect service of process pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. This rule provides, in relevant part:

If a defendant located within the United States fails to comply with a request for waiver made by a plaintiff located within the United States, the court shall impose the costs subsequently incurred in effecting service on the defendant unless good cause for the failure is shown.

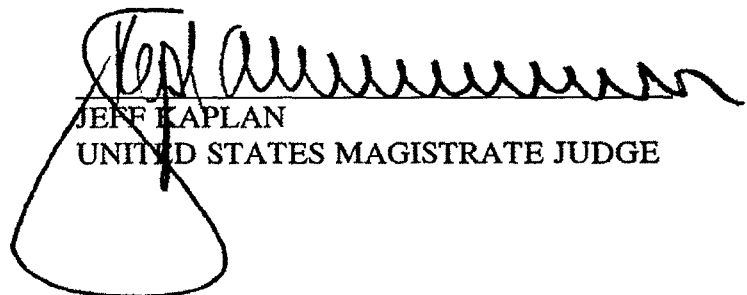
FED. R. CIV. P. 4(d). The Receiver alleges that Defendants Leon Hurst, Greg Skibbee and United Holdings Corp., Thomas McCrimmon and Chatham International, Inc., and Jeffrey Matz "intentionally and without good cause refused to waive service of process in this case." (Rec. Mot. ¶ 3). These defendants have now been served, and the Receiver seeks to recover the costs of service of follows:

<u>Defendant</u>	<u>Costs</u>
Leon Hurst	\$ 2,179.00
Greg Skibbee and United Holdings Corp., jointly and severally	\$ 1,565.00
Thomas McCrimmon and Chatham International, Inc., jointly and severally	\$ 1,495.00
Jeffrey Matz	\$ 1,267.50

A hearing is set for June 1, 2001 at 9:00 a.m. in the courtroom of Magistrate Judge Jeff Kaplan, 1100 Commerce Street, 16th Floor, Dallas, Texas. Defendants are ordered to appear at this hearing to show cause why they should not be required to pay costs incurred in effecting service of process pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. A written response to the motion is not required. However, defendants may file a response by May 29, 2001. No further pleadings will be allowed.

SO ORDERED.

DATED: May 16, 2001.


 JEFF KAPLAN
 UNITED STATES MAGISTRATE JUDGE