

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

MICHAEL J. QUILLING, as Receiver
for Sardaukar Holdings, IBC and
Bradley C. Stark

Plaintiff,

VS.

DEREK SCHENK

Defendant.

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NO. 3-06-CV-0263-L

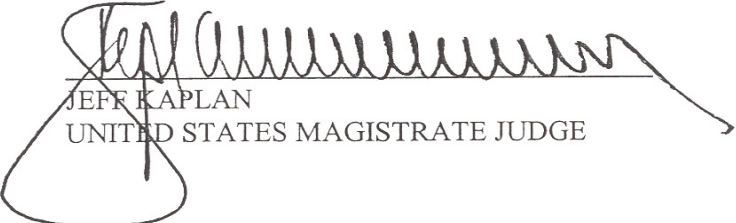
ORDER

Plaintiff Michael J. Quilling, as Receiver for Sardaukar Holdings, IBC and Bradley C. Stark, has filed a motion to allow an alternate method for service of process on Defendant Derek Schenk, Individually and d/b/a Halo Film Ventures. Although the motion is supported by the affidavit of a private process server, who states that "[w]e have tracked Defendant's whereabouts to 141 Dougherty Avenue, Holbrook, New York 11741," (*see* Plf. Mot., Exh. A at 1, ¶ 3), no facts are alleged to support that assertion. In particular, the process server does not state *how* he knows defendant either resides at the Holbrook address or likely would receive notice of this action if the summons and complaint are posted on the front door of that address.

For these reasons, plaintiff's motion to allow an alternate method of service of process upon defendant [Doc. #11] is denied without prejudice.

SO ORDERED.

DATED: July 6, 2006.



JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE