

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Tom Shalom, et al. v. Bashar Masri, et al.

Shalom v. Masri · No. 1:25-cv-23837-GAYLES · Decided January 12, 2026

SUMMARY

The United States District Court for the Southern District of Florida granted Plaintiffs’ motions to serve Defendant Bashar Masri by publication, email, and social media. The court also directed the Clerk to serve the foreign corporate defendants by DHL and postal channels, with translated copies of the pleadings and related documents, and required responses within 21 days after receipt.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	January 12, 2026
DOCKET	1:25-cv-23837-GAYLES
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for authorization to serve defendant Bashar Masri by publication, email, and social-media messaging, and separately moved for an order directing service of process abroad on the foreign corporate defendants by mail. The district court granted both motions.
STANDARD OF REVIEW	The decision whether to authorize alternative service under Federal Rule of Civil Procedure 4(f)(3) lies within the district court's discretion.
PRECEDENTIAL VALUE	Unknown

TOPICS

- service of process
- foreign affairs
- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- international service of process
- foreign affairs
- commercial litigation

QUESTIONS PRESENTED

1. Whether the court should authorize service on Bashar Masri outside the United States by publication, email, and social-media direct message under Federal Rule of Civil Procedure 4(f)(3).
2. Whether the court should direct the Clerk to serve the foreign corporate defendants by postal channels under Federal Rule of Civil Procedure 4(f)(2)(C)(ii) and Article 10(a) of the Hague Service Convention.

HOLDINGS

1. The court may authorize service on a defendant abroad by publication, email, and social-media direct message when the proposed methods are not prohibited by an applicable international agreement, are reasonably calculated to provide notice and comport with due process, minimize offense to foreign law, and the circumstances warrant discretionary relief under Rule 4(f)(3). The court found those requirements satisfied and authorized the proposed methods.
2. The court may direct service by postal channels on the foreign corporate defendants because Article 10(a) of the Hague Service Convention permits direct postal service when the destination state has not objected, and the record showed that Israel had not objected to postal service except for mail directed to the Israeli government. The Clerk was directed to send four separately addressed DHL mailings in compliance with Rule 4(f)(2)(C)(ii).

KEY QUOTATIONS

“The alternative method of service, however, must comport with constitutional notions [of] due process.”
(Discussion § I)

“Plaintiffs shall serve the Summons and Complaint in this action on Defendant Bashar Masri by”
(Conclusion ¶ 1)

FACTUAL BACKGROUND

Plaintiffs, including American citizens who were victims or family members or estate representatives of victims of the October 7, 2023 Hamas attacks in Israel, sued Bashar Masri and four companies allegedly controlled by him under the Anti-Terrorism Act. Plaintiffs believed Masri was in Israel or Palestine and had previously attempted service at his Washington, D.C. home and by registered mail. The corporate defendants were located at Massar Building, Q Centre, Rawabi, Palestinian Authority, and plaintiffs sought to serve them by separately addressed DHL mailings containing the pleadings, summonses, order, and translations.

PROCEDURAL HISTORY

Plaintiffs initially filed the action in the United States District Court for the District of Columbia and attempted to serve Masri there. The D.C. District Court authorized alternative service, but plaintiffs voluntarily dismissed that action before attempting the authorized methods and filed this action in the Southern District of Florida. Plaintiffs then sought substantially the same alternative-service relief and an order directing the Clerk to mail the complaint and summons to the corporate defendants.

DISPOSITION

other

CASES CITED

- De Gazelle Grp., Inc. v. Tamaz Trading Establishment, 817 F.3d 747, 750 (11th Cir. 2016)
- Volkswagenwerk Aktiengesellschaft v. Schlunk, 486 U.S. 694, 705 (1988)
- Codigo Music, LLC v. Televisa S.A., No. 15-CIV-21737, 2017 WL 4346968, at *7 (S.D. Fla. Sept. 29, 2017)
- Chanel, Inc. v. Lin, No. 08-CIV-23490, 2009 WL 1034627, at *1 (S.D. Fla. Apr. 16, 2009)
- Tracfone Wireless, Inc. v. Hernandez, 126 F. Supp. 3d 1357, 1364 (S.D. Fla. 2015)
- U.S. Commodity Futures Trading Comm'n v. Aliaga, 272 F.R.D. 617, 620 (S.D. Fla. 2011)
- Rio Props., Inc. v. Rio Int'l Interlink, 284 F.3d 1007, 1015 (9th Cir. 2002)
- Water Splash, Inc. v. Menon, 581 U.S. 271, 284 (2017)

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