

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Mhmoud v. Cheetah X Inc.

Mhmoud · No. 25-cv-00198-DMR · Decided June 25, 2025

OPINION

Mhmoud v. Cheetah X Inc.

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 DINA ADEL MHMOUD, Case No. 25-cv-00198-DMR 8 Plaintiff,

ORDER GRANTING MOTION FOR

9 v. ALTERNATIVE SERVICE

10 CHEETAH X INC., et al., Re: Dkt. No. 10 11 Defendants. 12 13 Self-represented Plaintiff
Dina Mhmoud moves to serve Defendant Alexander Debelov by 14 the “nail and mail” method.
[Docket No. 10, “Mot.”] Pursuant to Civil Local Rule 7-1(b), the court 15 finds this motion
appropriate for resolution without oral argument. Having reviewed the record and 16 for the
reasons set forth below, the court grants the motion.

17 I. BACKGROUND

18 On January 7, 2025, Mhmoud filed this action against Defendants Cheetah X Inc. 19 (“Cheetah
X”) and Debelov, the CEO of Cheetah X, alleging violations of § 10(b) of the Securities 20
Exchange Act and Rule 10b-5; breach of contract; fraud; violations of California’s Unfair 21
Competition Laws, Cal. Bus. & Prof. Code § 17200 et seq.; and conversion. [Docket No. 1, 22
“Compl.”] Mhmoud’s claims arise out of an agreement Mhmoud made with Cheetah X to
purchase 23 a fleet of electric scooters. Id. at 1, 2-3. 24 Since filing the Complaint, Mhmoud has
attempted to serve Debelov multiple times. A 25 process server attempted to serve Debelov at his
residence seven times: on January 14, 2025;

26 January 16, 2025; January 19, 2025; February 17, 2025; February 20, 2025; February 23, 2025;
and

27 February 24, 2025. Mot. at 1-2 & Ex. A (Non Service Report). On January 19, 2025, the
security

1 Debelov informed the process server that he was “out of the country (Brazil), and ha[d] not yet 2
scheduled a return date.” Id. On all other occasions, there was no answer at the door. Id. at 1-2 & 3
Ex. A. When the security guard attempted to “call[] up to the unit,” they only received a “voice 4
mail greeting.” Ex. A at 1-2.

5 II. LEGAL STANDARD

6 Pursuant to Federal Rule of Civil Procedure 4(e), 7 [A]n individual . . . may be served in a judicial district of the United States by: 8

(1) following state law for serving a summons in an action brought in

9 courts of general jurisdiction in the state where the district court is located or where service is made; or 10

(2) doing any of the following:

11 (A) delivering a copy of the summons and of the complaint to 12 the individual personally; 13

(B) leaving a copy of each at the individual's dwelling or usual place of abode with someone of suitable age and discretion 14 who resides there; or 15 (C) delivering a copy of each to an agent

authorized by appointment or by law to receive service of process. 16 17 Under California Code

of Civil Procedure section 413.30, a "court in which the action is 18 pending may direct that summons be served in a manner which is reasonably calculated to give 19 actual notice to the

party to be served and that proof of such service be made as prescribed by the 20 court." "Due

process requires that the selected means of alternative service of process be 21 'reasonably

calculated, under all the circumstances, to apprise interested parties of the pendency of 22 the

action and afford them an opportunity to present their objections.'" Microsoft Corp. v. Buy 23

More, Inc., 703 F. App'x 476, 480 (9th Cir. 2017) (quoting Rio Props., Inc. v. Rio Int'l Interlink,

24 284 F.3d 1007, 1016 (9th Cir. 2002)).

25 III. DISCUSSION

26 Mhmoud seeks an order allowing her to serve Debelov via alternative means, namely, by 27

posting the documents on the front door of his residence. Plaintiff has been diligent in her efforts 1

successful. The record establishes that Debelov lives at the address of attempted service and is 2

aware of at least one service attempt, because he spoke to the process server by phone and said he

3 was in Brazil and had not yet scheduled a return date. Further attempts at personal service would

4 || thus be futile. Accordingly, the court grants the motion as follows: 5 1. Mhmoud shall direct

the process server to post a copy of the complaint, summons, 6 and this order on the front door of

Debelov's residence. 7 2. Mhmoud shall also direct the process server to send a copy of the

complaint, 8 summons, and this order to Debelov's residence via certified mail. 9 3. In addition, if

Mhmoud has personally contacted Debelov by email, Mhmoud shall 10 direct the process server

to email a copy of the complaint, summons, and this order 11 to Debelov via the most current

email address she previously used to communicate 12 with him. 13 Under these circumstances,

the court finds that the above methods are reasonably calculated 14 to provide Debelov with

actual notice of this action. See Cal. Code Civ. Proc. § 413.30; Microsoft 3 15 Corp., 703 F. App'x

at 480.

16 || Iv. CONCLUSION!

3 17 For the reasons stated above, the Court grants the motion for alternative service. Mhmoud 18

shall effect service as outlined above by July 25, 2025 and promptly file a proof of service. 19 20

IT IS SO ORDERED. 21 Dated: June 25, 2025 Lie 22 Donna M. Ryu 23 Chief Magistrate Judge
24 25 26 27 ' Mhmoud's motion does not address whether Cheetah X has been served, and no
proof of service 28 as to that Defendant has been filed. As Mhmoud does not move to serve
Cheetah X via alternative means, this order is limited to Debelov only.

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