

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Flickinger v. Castillo

No. 24-cv-02915-SVK (N.D. Cal. June 30, 2025) · No. 24-cv-02915-SVK · Decided June 30, 2025

SUMMARY

The United States District Court for the Northern District of California grants in part and denies in part Plaintiff Jason Archie Flickinger’s second ex parte application for alternative service. The order addresses service of Mexican defendants by email, WhatsApp, and Facebook under Federal Rule of Civil Procedure 4(f)(3), including requests for group service and individually directed electronic service. The court concludes that the proposed electronic methods are not prohibited by international agreement but evaluates whether each method is reasonably calculated to provide notice.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Susan van Keulen
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 30, 2025
DOCKET	24-cv-02915-SVK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought ex parte authorization under Federal Rule of Civil Procedure 4(f)(3) to serve certain defendants in Mexico by email, WhatsApp, Facebook Messenger, and related group-service methods.
STANDARD OF REVIEW	Alternative service under Federal Rule of Civil Procedure 4(f)(3) is committed to the sound discretion of the district court. The proposed method must be directed by the court, not prohibited by international agreement, and reasonably calculated under the circumstances to apprise the defendant of the action and provide an opportunity to object.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Jason Archie Flickinger v. Jaqueline Reyes Castillo, et al.

TOPICS

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether service by email, WhatsApp, Facebook wall post, or Facebook Messenger on defendants located in Mexico is prohibited by the Hague Service Convention or another international agreement.
2. Whether Plaintiff demonstrated that the proposed individual and group electronic-service methods were reasonably calculated to apprise particular defendants of the action and afford them an opportunity to present objections.
3. Whether the court should authorize or deny alternative service for each defendant based on the evidence connecting the proposed communication method or intermediary to that defendant.
4. What conditions and deadlines should govern any authorized electronic service.

HOLDINGS

1. Service by email, WhatsApp, and Facebook, including Facebook Messenger, is not prohibited by an international agreement with Mexico, including the Hague Service Convention.
2. A proposed alternative method of service under Rule 4(f)(3) must be reasonably calculated, under all the circumstances, to apprise interested parties of the action and afford them an opportunity to present objections.
3. Group service may be authorized under Rule 4(f)(3) when the evidence shows that service through a related individual or group account is reasonably calculated to notify the defendant, but group service is not authorized merely because defendants formerly worked together or had an attenuated professional relationship.
4. Authorized email service must use Registered Email, and WhatsApp or Facebook Messenger service must be sent by an adult third party who, based on Plaintiff's best information, has not been blocked by the recipient; the summons and specified plain-text identifying information must accompany the communication.

KEY QUOTATIONS

“Even if facially permitted by Rule 4(f)(3), a method of service of process must also comport with constitutional notions of due process.” (at 7)

“The decision whether to allow alternative methods of serving process under Rule 4(f)(3) is committed to the ‘sound discretion of the district court.’” (at 7)

“Accordingly, the Court finds that Plaintiff’s proposed methods of service—email, WhatsApp and Facebook—are not prohibited by international agreement with Mexico.” (at 8)

“the inquiry for this Court remains the same: Whether such methods are “reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.”” (at 10)

FACTUAL BACKGROUND

Plaintiff sued numerous defendants arising from events involving Mexican individuals and governmental entities. Several defendants had not appeared, and Plaintiff experienced difficulty locating or serving many of the Mexican individual defendants through conventional means. Plaintiff submitted screenshots, photographs, declarations, and evidence of relationships, employment, email accounts, WhatsApp numbers, and Facebook accounts to support proposed electronic and group-service methods.

PROCEDURAL HISTORY

Flickinger commenced the action on May 14, 2024, and later filed an amended complaint naming 37 defendants. The court had previously granted in part and denied in part an application for alternative service, permitting certain email service while denying other proposed methods without prejudice. After additional service attempts and evidentiary submissions, Plaintiff filed a second ex parte application; the court granted it in part and denied it in part, authorized specified individual and group electronic-service attempts, denied or deferred other requests, and set service deadlines.

DISPOSITION

other

CASES CITED

- Rio Props., Inc. v. Rio Int’l Interlink, 284 F.3d 1007, 1014, 1016 (9th Cir. 2002)
- Brockmeyer v. May, 383 F.3d 798, 805 (9th Cir. 2004)
- Seiko Epson Corp. v. [case name incomplete in source], Cal. Nov. 3, 2022
- Juicero, Inc. v. Itaste Co., No. 17-cv-01921-BLF, 2017 WL 3996196, at *3 (N.D. Cal. June 5, 2017)
- Browne v. Donalds, No. 21-cv-02840-AB (AFM), 2023 WL 4626697, at *2 (C.D. Cal. Apr. 13, 2023)
- Monolithic Power Sys., Inc. v. Silergy Corp., 127 F. Supp. 3d 1071, 1078 (N.D. Cal. 2015)
- Int’l Metaphysical Ministry, Inc. v. Schaefer, No. 18-cv-4524 SBA, 2018 WL 10560778, at *4 (N.D. Cal. Nov. 21, 2018)

OPINION

Flickinger v. Castillo

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 JASON ARCHIE FLICKINGER, Case No. 24-cv-02915-SVK 8 Plaintiff,

ORDER GRANTING IN PART AND
9 v. DENYING IN PART PLAINTIFF'S
SECOND EX PARTE APPLICATION

10 JAQUELINE REYES CASTILLO, et al., FOR ALTERNATE SERVICE

11 Defendants. Re: Dkt. No. 54 12 Self-represented plaintiff Jason Archie Flickinger commenced this action on May 14, 2024 13 against 37 Defendants named in his amended complaint. Dkts. 1, 6. Some defendants have since 14 been served and appeared, others have been voluntarily dismissed and most have yet to appear. 15 See Dkt. 23 (voluntary dismissal of two defendants); Dkts. 37-38, 45 (summons returned executed 16 as to certain defendants); Dkts. 41, 50-53 (appearance by three Mexican-government entities). 17 Now before the Court is Plaintiff's second ex parte application for alternative service, styled the 18 "2nd Ex Party Motion for Authorization of Electronic Service of Process," seeking permission to 19 serve by various electronic means certain defendants. Dkt. 54 (the "Application"). Having 20 considered Plaintiff's submissions, the relevant law and the record in this action, the Court 21 GRANTS IN PART and DENIES IN PART the Application.

22 I. BACKGROUND

23 The Court has previously explained the background of this action as it relates to Plaintiff's 24 attempts at service and motions for alternative service of process. Dkt. 32 ("Prior Order") at 1-3. 25 The relevant developments since the Court's Prior Order are as follows. 26 On April 8, 2025, the Court granted in part and denied in part Plaintiff's ex parte 27 applications for alternative service and extensions of time. Id. In particular, the Court extended 1 difficulties with serving Defendant Quintero and the apparent "close friendship between Robert 2 Crisp and Pero Quintero," extended the deadline to serve Defendant Quintero contingent on an 3 appearance by Defendant Crisp, (id. at 5-7, 12) (collectively, "American Defendants"). 4 In the same Order, the Court evaluated Plaintiff's proposal to serve various Mexican 5 individual defendants by email and/or WhatsApp. Id. at 7-12. "Having examined what 6 documentary evidence of interactions was presented by Plaintiff, as well as the description for 7 each email and WhatsApp account" that was proffered, the Court ultimately permitted electronic 8 service via email on certain defendants via certain email accounts, denied service via other email 9 accounts and denied without prejudice service via WhatsApp. Id. at 10-13. The Court also 10 extended the time to serve five unlocated Mexican individual defendants contingent on an 11 appearance by the first Mexican individual defendant. Id. at 13. 12 Finally, in the same order, the Court ordered a further update as to Plaintiff's attempts to 13 serve the Mexican-government entities. Id. at 13-14. 14 On April 30, 2025, Plaintiff filed a proof of service showing that Defendant Crisp was 15 successfully served by Plaintiff's private investigator. Dkt. 37. On May 2, 2025, Plaintiff filed 16 proofs of service memorializing his attempts to serve the Mexican-government entities through the 17 Mexican Ministry of Foreign Affairs entities under the Hague Convention. Dkt. 38. Since then, 18 Defendants Estados Unidos Mexicanos ("Mexico"), Gobierno del Estado de Coahuila de Zaragoza

19 (“Coahuila State”) and Fiscalía General del Estado de Coahuila de Zaragoza (“Coahuila Attorney General”) have appeared and filed motions to dismiss the claims against them. Dkts. 40-41, 46, 21 50-53. The other two Mexican-government defendants have not appeared. Finally, on May 8, 22 2025, Plaintiff filed proofs of service for 14 Mexican individual defendants. Dkts. 45–45-13. As 23 Plaintiff explains in the Application, with this Court’s authorization, “emails were sent to all 22 of 24 the [authorized] email addresses, which resulted in 19 emails [with] verified deliver[y] 25 (corresponding to 14 defendants).” Dkt. 54-1 at 3. 26 For the completeness of the record and convenience of the Parties and the public, the table 27 below summarizes the current service and appearance status of each Defendant in this action.

1 Defendant	Service Status	Deadline	Appearance
2 Robert Crisp (American Defendant)	Served	April 30, 2025	Not yet appeared
3 Pedro Quintero (American Defendant)	Not Served	No appearance	To be served, or motion for alternative 4 service to be renewed, no later than 45 days after Crisp’s appearance
5 Mexico (Mexican-government entity)	Served	October 11, 2024	Appeared
6 Coahuila State Purportedly	Served	October 11, 2024	Appeared (Mexican-government entity)
7 Coahuila Attorney General Purportedly	Served	October 11, 2024	Appeared
8 (Mexican-government entity) Centro de Justicia y Empoderamiento Purportedly	Served	October 11, 2024	Not yet appeared
9 Para Las Mujeres del Gobierno del 10 Estado de Coahuila de Zaragoz (Mexican-government entity)	Not yet appeared		
11 Dirección de Seguridad Publica Purportedly	Served	October 11, 2024	Not yet appeared
12 Municipal de Torreon (Mexican-government entity)	Not served		
13 Gilda Reyes Barraza (former Mexican individual defendant)	Dismissed		
14 Brenda Karina Cueto Castillo (former Mexican individual defendant)	Dismissed		
15 Jaqueline Reyes Castillo (Mexican individual defendant)	Served	April 9, 2025	Not yet appeared
16 (Mexican individual defendant)	via registered email to personal email 17 and two most recent lawyers’ emails.		
18 See Dkt. 54-1 at 3; Dkt. 45. 19 The emails to Castillo’s most recent 20 lawyers were verified as opened. Id. 21 Plaintiff seeks to attempt further service. 22			
23 María de la Luz Castillo de la Torre (Mexican individual defendant)	Not served.		
24 The Court denied Not yet appeared (Mexican individual defendant) Plaintiff’s prior application for 25 alternative service without prejudice. Dkt. 32 at 10. 26 27			
28 Plaintiff seeks to renew his application and provides additional information. 29 30			
31 Plaintiff filed a proof of service as to these Defendants, but in their pending Motion to Dismiss, 32			
33 1 Luis Antonio Castillo (Mexican individual defendant)	Not served.		
34 Previously unlocated, Not yet appeared (Mexican individual defendant) with a status report as to service due to 35			
36 2 be filed no later than 45 days after the first Mexican individual defendant’s 37			
38 3 appearance. 4 Plaintiff seeks authorization to attempt 5			
6 service by electronic means. 7 Gloria Castillo de la Torre (Mexican individual defendant)	Not served.		
8 The Court denied Not yet appeared (Mexican individual defendant) Plaintiff’s prior application for 9			
10 alternative service without prejudice. Dkt. 32 at 10. 11			
12 9 Plaintiff seeks to renew his application and provides additional information. 13			
14 10 Luis Roberto Magaña Orozco (Mexican individual defendant)	Served	April 9, 2025	Not yet appeared
15 via registered email to two personal email addresses used to communicate 16			
17 with Plaintiff previously. See Dkt. 54-1 at 3; Dkt. 45-2. 18			
19 13 Plaintiff seeks to attempt further service. 20			
21 15 Luis Enrique Martin Del Campo (Mexican individual defendant)	Service attempted on		

April 9, 2025, Not yet appeared 16 Valencia but delivery of email was (Mexican individual defendant) unsuccessful. See Dkt. 54-1 at 3. 17 18 Plaintiff seeks to attempt further service. 19 Cristobal Everardo Rodríguez Service attempted on April 9, 2025, Not yet appeared 20 Hernández but delivery of email was (Mexican individual defendant) unsuccessful. See Dkt. 54-1 at 3. 21 22 Plaintiff seeks to attempt further service. 23 Raymundo Ventura Garcia Not served. The Court denied Not yet appeared 24 (Mexican individual defendant) Plaintiff's prior application for alternative service without prejudice.

25 Dkt. 32 at 10.

26 Plaintiff seeks to renew his application 27 and provides additional information. 1 David Obed Salas Ríos Not served. Previously unlocated, Not yet appeared (Mexican individual defendant) with a status report as to service due to 2 be filed no later than 45 days after the first Mexican individual defendant's 3 appearance. 4 Plaintiff seeks authorization to attempt 5 service by electronic means. 6 Claudia Marcela Ibarra Betancourt Served April 9, 2025 Not yet appeared (Mexican individual defendant) via registered email to the email used 7 while acting as Plaintiff's attorney. See Dkt. 54-1 at 4; Dkt. 45-10. 8 Virginia Betancourt Rodríguez Not served. Previously unlocated, Not yet appeared 9 (Mexican individual defendant) with a status report as to service due to be filed no later than 45 days after the 10 first Mexican individual defendant's appearance. 11 12 Plaintiff seeks authorization to attempt service by electronic means. 13 Jonathan Chavez Betancourt Not served. Previously unlocated, Not yet appeared 14 (Mexican individual defendant) with a status report as to service due to be filed no later than 45 days after the 15 first Mexican individual defendant's appearance. 16 17 Plaintiff seeks authorization to attempt service by electronic means. 18 Israhel Martinez Peinado Served April 9, 2025 Not yet appeared 19 (Mexican individual defendant) via registered email to the email used while acting as Plaintiff's attorney. 20 See Dkt. 54-1 at 4; Dkt. 45-6. 21 22 Plaintiff seeks to attempt further service. 23 Irving Terrazas Molina Served April 9, 2025 Not yet appeared 24 (Mexican individual defendant) via registered email to private legal office email. 25 See Dkt. 54-1 at 4; Dkt. 45-12. 26 The email was verified as opened. Id. 27 Plaintiff seeks to attempt further 1 Yolanda de Leon Garcia Served April 9, 2025 Not yet appeared (Mexican individual defendant) via registered email to personal email 2 and government job email. See Dkt. 54-1 at 3; Dkt. 45-8. 3 Juan Carlos Degollado Rodríguez Served April 9, 2025 Not yet appeared 4 (Mexican individual defendant) via registered email to private legal office email. 5 See Dkt. 54-1 at 3; Dkt. 45-7. 6 Bertha Marine Casillas Martínez Served April 9, 2025 Not yet appeared 7 (Mexican individual defendant) via registered email to government job email. 8 See Dkt. 54-1 at 3; Dkt. 45-9. 9 María Concepción Mendieta Santos Served April 9, 2025 Not yet appeared (Mexican individual defendant) via registered email to government 10 job email. 11 See Dkt. 54-1 at 3; Dkt. 45-3. Rodrigo Iván Acevedo Macías Served April 9, 2025 Not yet appeared 12 (Mexican individual defendant) via registered email to government 13 job email. See Dkt. 54-1 at 3; Dkt. 45-13. 14 Judith Arzave Ramírez Served April 9, 2025 Not yet appeared 15 (Mexican individual defendant) via registered email to government job email. 16 See Dkt. 54-1 at

4; Dkt. 45-4. 17 Erik Osiris Rodríguez Huitrón Served April 9, 2025 Not yet appeared (Mexican individual defendant) via registered email to private legal 18 office email. 19 See Dkt. 54-1 at 4; Dkt. 45-1. The email was verified as opened. Id. 20 Francisco Javier Hernandez Favila Served April 9, 2025 Not yet appeared 21 (Mexican individual defendant) via registered email to private legal office email. 22 See Dkt. 54-1 at 4; Dkt. 45-5. 23 The email was verified as opened. Id. Luis Fernando Macías Montañez Served April 9, 2025 Not yet appeared 24 (Mexican individual defendant) via registered email to the email used 25 while acting as Plaintiff's attorney. See Dkt. 54-1 at 4; Dkt. 45-12. 26 The email was verified as opened. Id. 27 1 Enrique Vargas Gutierrez Not served. Previously unlocated, Not yet appeared (Mexican individual defendant) with a status report as to service due to 2 be filed no later than 45 days after the first Mexican individual defendant's 3 appearance. 4 Plaintiff seeks authorization to attempt 5 service by electronic means. 6 Eduardo Nicolas Mireles Jaime Not served. The Court denied Not yet appeared (Mexican individual defendant) Plaintiff's prior application for 7 alternative service without prejudice. Dkt. 32 at 10. 8 9 Plaintiff seeks to renew his application and provides additional information. 10 Rolando Castañeda Ruiz Not served. The Court denied Not yet appeared 11 (Mexican individual defendant) Plaintiff's prior application for alternative service without prejudice.

12 Dkt. 32 at 10.

13 Plaintiff seeks to renew his application 14 and provides additional information. Miguel Misael Martinez Anaya Not served. The Court denied Not yet appeared 15 (Mexican individual defendant) Plaintiff's prior application for alternative service without prejudice. 16 Dkt. 32 at 10. 17 Plaintiff seeks to renew his application 18 and provides additional information. 19 20 On May 15, 2025, Plaintiff filed the instant Application for authorization of service by 21 electronic means. Dkt. 54 at 1-28. Filed as part of the Application, Plaintiff includes 22 exhibits, 23 consisting of one screenshot or photograph each, in support of the Application. Id. at 29-61.

23 II. LEGAL STANDARD

24 The standard for alternative service differs based on whether the individual is outside of or 25 within the United States. With regard to individuals outside the United States, Rule 4 permits 26 service by, inter alia, "means not prohibited by international agreement, as the court orders." See 27 Fed. R. Civ. P. 4(f)(3). Thus, "service under Rule 4(f)(3) must be (1) directed by the court; and (2) 1 Props., Inc. v. Rio Int'l Interlink, 284 F.3d 1007, 1014 (9th Cir. 2002). But 2 [e]ven if facially permitted by Rule 4(f)(3), a method of service of process must also comport with constitutional notions of due 3 process. To meet this requirement, the method of service crafted by the district court must be "reasonably calculated, under all the 4 circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." 5

6 Id. at 1016 (citations omitted). A plaintiff must also "demonstrate that the facts and 7 circumstances of the [] case necessitate[] the district court's intervention." See id. Ultimately, 8 "[t]he decision whether to allow alternative methods of serving process under Rule 4(f)(3) is 9 committed to the 'sound discretion of the district court.'" Brockmeyer v. May, 383 F.3d 798, 805

10 (9th Cir. 2004) (citation omitted).

11 III. DISCUSSION

12 Plaintiff's Application requests permission to serve (or attempt to re-serve) certain of the 13 Mexican individual defendants. Dkt. 54-1 at 25-26. Plaintiff seeks to serve these defendants in 14 various ways: for those Mexican individual defendants who are associated with other defendants 15 (most commonly, by purportedly being part of the same Mexican law firm), Plaintiff seeks to 16 effectuate service "as a group," (e.g., Dkt. 54-1 at 8-13, 14-17, 17-18, 19-20, 23); and, as an 17 alternative for all defendants at issue, individually, (see Dkt. 54-1 at 25-26). The Court addresses 18 issues common to the defendants first, then turns to each defendant individually. 19 A. Service of Process by Email, WhatsApp and Facebook Messenger is Not Prohibited Under International Agreement. 20 21 In its Prior Order, the Court explained that "that service of individuals via registered 22 electronic mail in Mexico is not prohibited by international agreements[;]" nor was service via 23 WhatsApp prohibited. Dkt. 32 at 8-9 (agreeing with the explanations in cases both within and 24 without the Northern District of California). Plaintiff now seeks to serve certain defendants via 25 email and WhatsApp and additionally via Facebook (by wall post and by Facebook Messenger). 26 See, e.g., Dkt. 54-1 at 25-26. Many other courts, in the context of other countries, have treated 27 service via Facebook no differently from service via email. See, e.g., *Seiko Epson Corp. v. 1* Cal. Nov. 3, 2022) ("Similarly, service through a social media account, such as Facebook, or 2 through website chat functions is not prohibited by the Hague Service Convention or any other 3 international agreement."); *Juicero, Inc. v. Itaste Co.*, No. 17-cv-01921-BLF, 2017 WL 3996196, 4 at *3 (N.D. Cal. June 5, 2017) ("Service through Defendants' Facebook account is also 5 permissible."). This Court similarly finds that, as with email and WhatsApp, Mexico has not 6 expressly objected to service via Facebook under the Hague Convention. Cf. *Browne v. Donalds*,

7 No. 21-cv-02840-AB (AFM), 2023 WL 4626697, at *2 (C.D. Cal. Apr. 13, 2023). (Mexico's 8 objection "to service of postal channels under Article 10 of the Hague Service Convention ... does 9 not prohibit service by email [because] courts have distinguished electronic mail from postal 10 mail."); see also Mexico's "Declarations and Reservations to the Convention," available at 11 [https://www.hcch.net/en/instruments/conventions/status- 12 table/notifications/?csid=412&disp=resdn](https://www.hcch.net/en/instruments/conventions/status-table/notifications/?csid=412&disp=resdn) (Mexico's objections have not changed since the Court 13 issued its Prior Order). 14 Accordingly, the Court finds that Plaintiff's proposed methods of service—email, 15 WhatsApp and Facebook—are not prohibited by international agreement with Mexico. 16 B. The Court Authorizes Service of Process Via Alternative, Electronic Means on an Individual Basis, as Set Forth Below 17 18 The Court incorporates herein the findings in its Prior Order, in particular that: "Given the 19 difficulties Plaintiff has had in serving the individual Mexican Defendants ... the Court's finds its 20 intervention is necessary at this juncture[;]" and that the due process concerns of service via 21 WhatsApp, like email (and Facebook), should be "examined on a case-by-case basis to determine 22 whether they are 'reasonably calculated, under all the circumstances,

to apprise interested parties 23 of the pendency of the action and afford them an opportunity to present their objections.’” Dkt. 32 24 at 9 (quoting Rio, 284 F.3d at 1016). The Court further notes that in the past two months, Plaintiff 25 has continued to diligently pursue service: He has conducted research to attempt to find, and 26 verify, contact information for various defendants; he has successfully served certain defendants, 27 as noted above; and the Motion, instead of reciting again the simple context of Plaintiff’s 1 the means of service proposed by Plaintiff. Accordingly, the Court finds good cause to extend his 2 time to serve Defendants, as necessary, as set forth in the conclusion. 3 Having now considered the evidence submitted by Plaintiff, the Court GRANTS IN 4 PART and DENIES IN PART Plaintiff’s Application as indicated below: 5 1. Plaintiff’s Requests for “Group Service”: 6 First, Plaintiff requests authorization to serve certain Defendants “as a group.” E.g., Dkt. 7 54-1 at 8-13, 14-17, 17-18, 19-20, 23. These groups include: 8 (a) The proposed “Roma Legal Defendants,” comprising “Defendants Luis Roberto 9 Magaña Orozco, David Obed Salas Ríos, Raymundo Ventura Garcia, and Luis Enrique 10 Martin Del Campo Valencia[, who] were all lawyers and employees of Roma Legal, A 11 Torreón Coahuila[-based] law firm owned and operated by Luis Roberto Magaña 12 Orozco.” Dkt. 54-1 at 8-13; 13 (b) The proposed “Betancourt Associates Defendants,” comprising “Defendants Claudia 14 Marcela Ibarra Betancourt, Jonathan Chavez Betancourt, Virginia Betancourt 15 Rodríguez, Israhel Martinez Peinado, and Irving Terrazas Molina[, who] are all 16 lawyers and employees of Ibarra Betancourt Abogados Asociados, a Torreón Coahuila 17 law firm owned and operated by Claudia Marcela Ibarra Betancourt.” Dkt. 54-1 at 14- 18 17; and 19 (c) The “Castillo Family Defendants,” comprising Defendants “Jaqueline Reyes Castillo, 20 Luis Antonio Castillo Juarez, Gloria Castillo de la Torre, María de la Luz Castillo de la 21 Torre, Enrique Vargas Gutierrez and Francisco Javier Hernandez Favila,” with Luis 22 Antonio Castillo Juarez, Gloria Castillo de la Torre and María de la Luz Castillo de la 23 Torre being “family members of Jaqueline Reyes Castillo” and Defendant Enrique 24 Vargas Gutierrez and Francisco Javier Hernandez Favila being “her two lawyers.”

25 Dkt. 54-1 at 18-23.

26 At the outset, Plaintiff’s requests for group service are unclear. Either, consistent with how 27 Plaintiff previously attempted to serve Defendant Crisp as an agent on behalf of all Defendants, 1 and in lieu of serving other Defendants; alternatively, Plaintiff’s might still be seeking to serve 2 each Defendant but simply by providing notice to other Defendants. See, e.g., Dkt. 54-1 at 22 (“I 3 seek to serve the [Castillo Family Defendants] jointly through all emails, Facebook accounts, and 4 WhatsApp accounts mentioned above.”). 5 In the Rule 4(f) context, however, the posture makes no difference. While other rules, 6 such as Rule 4(e), require agents to be “authorized by appointment or by law,” Rule 4(f) contains 7 no such restriction. Accordingly, some courts in this District have allowed service via secondary 8 individuals, while others have not. Compare *Monolithic Power Sys., Inc. v. Silergy Corp.*, 127 F.

9 Supp. 3d 1071, 1078 (N.D. Cal. 2015) (permitting service under Rule 4(f) on a defendant, Chen,

10 via a person “who represented Chen, in Chen’s personal capacity, at the mediation between the
11 parties,”) with Int’l Metaphysical Ministry, Inc. v. Schaefer, No. 18-cv-4524 SBA, 2018 WL 12
10560778, at *4 (N.D. Cal. Nov. 21, 2018) (declining permit “service on a foreign defendant 13
through a co-worker” because service by alternate means “requires prior leave of court,” but 14
explaining that, even “if Plaintiffs had properly sought leave for alternate service,” the Court 15
would not have granted the request) (emphasis added). So, whether Plaintiff’s request is that he 16
be permitted to serve some Defendants as agents of other Defendants or merely an argument that
17 providing notice through the emails, Facebook accounts and WhatsApp accounts of co-
workers, 18 employers or family members is sufficient to serve the individuals themselves under
Rule 4(f), the 19 inquiry for this Court remains the same: Whether such methods are “reasonably
calculated, under 20 all the circumstances, to apprise interested parties of the pendency of the
action and afford them an 21 opportunity to present their objections.” Rio, 284 F.3d at 1016. 22
Having reviewed the evidence submitted by Plaintiff to substantiate the asserted 23 relationships
between the Defendants, the Court rules as follows for the “group service” requests: 24 a. Roma
Legal Defendants 25 The Court agrees that exhibit 1 to the Motion shows that, at least as of the
date when 26 Plaintiff filed his Mexican divorce petition, Defendants David Obed Salas Ríos,
Raymundo 27 Ventura Garcia and Luis Enrique Martin Del Campo Valencia were all employees of
Roma Legal 1 shows that, at least as of the date when Plaintiff drafted his Mexican criminal
complaint for 2 extortion, Defendants Raymundo Ventura Garcia and Luis Enrique Martin Del
Campo Valencia, 3 along with Luis Roberto Magaña Orozco, served as counsel on his behalf. Dkt.
54-2, Ex. 2 4 (exhibit 2 is not clear as to whether, at this time, the Mexican attorneys were all
members of Roma 5 Legal or merely co-counsel). 6 However, Plaintiff filed his divorce petition on
July 2, 2020, and his criminal extortion 7 complaint had been drafted before August 15, 2020. Dkt.
6 (“First Amended Complaint” or 8 “FAC”), ¶¶ 69, 78. These events occurred nearly five years
ago. The Court is cognizant of the 9 fact that attorneys change firms and employment; indeed, as
Plaintiff represents, “Luis Roberto 10 Magaña Orozco is now employed as a city controller for the
city of Gomez Palacio, Durango, 11 Mexico,” not far from Torreón, Coahuila. Dkt. 54-1 at 9.
Thus, there is insufficient reason to 12 expect that the Roma Legal Defendants are still in regular
contact with each other today, and the 13 Court DENIES this request for group service. 14 b.
Betancourt Associates Defendants 15 The Court agrees that exhibit 14 to the Motion shows that, at
least as of the time when 16 Plaintiff was working on civil and criminal complaints with Claudia
Marcela Ibarra Betancourt, 17 Defendants Virginia Betancourt Rodríguez (who, according to
Plaintiff, is also the mother of 18 Claudia Marcela Ibarra Betancourt) and Irving Terrazas Molina
were working with Claudia 19 Marcela Ibarra Betancourt. Dkt. 54-1, Ex. 14. Exhibit 15 appears to
be a receipt, which Plaintiff 20 represents comes from Claudia Marcela Ibarra Betancourt,
showing the involvement of Defendant 21 Jonathan Chavez Betancourt in the lawsuits (who,
according to Plaintiff, is also the brother of 22 Claudia Marcela Ibarra Betancourt). Dkt. 54-1, Ex.
15. Plaintiff also represents and alleges that 23 Israhel Martinez Peinado was a member of

Betancourt Associates, although none of the exhibits 24 show Israhel Martinez Peinado's name. See Dkt. 54-1 at 15; FAC, ¶ 129. 25 Plaintiff's involvement with the Betancourt Associates Defendants is more recent than 26 with the Roma Legal Defendants. See FAC, ¶¶ 129-153 (alleging that Plaintiff changed attorneys 27 to Ibarra Betancourt Abogados y Asociados on September 29, 2022 and continued to work with 1 are still in contact with one another. Moreover, this finding is made more likely by the fact that 2 Ibarra Betancourt Abogados y Asociados appears to be a family-owned firm, with Claudia 3 Marcela Ibarra Betancourt, Jonathan Chavez Betancourt and Virginia Betancourt Rodríguez all 4 being related. FAC, ¶ 129. 5 On balance, and considering the relationships of the Betancourt Associates Defendants, the 6 difficulties Plaintiff has had in serving some of these defendants and the fact that Luis Fernando 7 Macías Montañez—another alleged member of the Betancourt Associates Defendants—has been 8 served and verified to have opened the service email, (see Dkt. 54-1 at 16), the Court finds that 9 service upon this group is reasonably calculated to apprise the individuals thereof of the pendency 10 of this lawsuit and GRANTS this request for group service in conjunction with the individual 11 service authorized in Section III.B.2, below. 12 c. Castillo Family Defendants 13 Finally, Plaintiff seeks to serve the Castillo Family Defendants as a group. Defendants 14 Jaqueline Reyes Castillo, María de la Luz Castillo de la Torre, Gloria Castillo de la Torre and Luis 15 Antonio Castillo Juarez are all family members, as alleged and represented by Plaintiff. Dkt. 54-1 16 at 18-20; FAC, § V.a., d.–f. Defendant Jaqueline Reyes Castillo is central to the allegations in 17 this matter, and the others are her mother, aunt and cousin, respectively. Id. Plaintiff verifies that 18 these Defendants were in contact on good terms as of earlier this year via public Facebook 19 information. Dkt. 54-1 at 19-20; id., Exs. 26-27. In the clearest example, exhibit 27 is a January 20 23, 2025 Facebook post by Gloria Castillo de la Torre, directing that if anyone found her sister's 21 (María de la Luz Castillo de la Torre) lost identification, they should call either of their WhatsApp 22 numbers. Dkt. 54-1 at 20 (translating id., Ex. 27). 23 Defendants Enrique Vargas Gutierrez and Francisco Javier Hernandez Favila, however, are 24 unrelated to the Castillo family. Rather, Plaintiff represents that each served as counsel for 25 Jaqueline Reyes Castillo and/or Maria de la Luz Castillo de la Torre. See Dkt. 54-1 at 20-22. 26 However, according to Plaintiff's arguments and allegations, Enrique Vargas Gutierrez last served 27 as Jaqueline Reyes Castillo's lawyer in proceedings against Plaintiff, with the last actions by 1 65, 69. Similarly, Javier Hernandez Favila is only alleged to have been Jaqueline Reyes Castillo's 2 lawyer in the Mexican domestic violence proceedings, which took place in April 2020 through 3 2021. See FAC, ¶¶ 38, 102. 4 Accordingly, due to the familial relationship and close contact between Jaqueline Reyes 5 Castillo, María de la Luz Castillo de la Torre, Gloria Castillo de la Torre and Luis Antonio 6 Castillo Juarez, the Court finds that service on any one of these individuals may be reasonably 7 calculated to apprise the other individuals thereof of the pendency of this lawsuit; however, it is 8 not sufficiently likely to apprise Enrique Vargas Gutierrez and Francisco Javier Hernandez Favila 9 of the pending lawsuit, nor vice-versa. Thus, the Court GRANTS IN PART this request for 10 group service, in

conjunction with the individual service authorized in Section III.B.2, below, 11 and DENIES IN PART this request for group service as it relates to Enrique Vargas Gutierrez 12 and Francisco Javier Hernandez Favila. 13 2. Method of Service as Authorized for Each Defendant 14 Apart from Plaintiff's requests for group service, Plaintiff "propose[s] a more individual 15 and individually directed method of service" for each of the Defendants that is the subject of the 16 motion, based upon his further research. Dkt. 54-1 at 25-27. The Court finds that individual 17 service is preferable to group service and that, even where the Court has authorized group service, 18 individual service must also be attempted. 19 In the Court's Prior Order, the Court permitted service via certain email addresses but 20 denied without prejudice Plaintiff's requests for service via WhatsApp numbers, explaining that 21 "Plaintiff may renew his request if he submits a declaration attaching exhibits tending to show that 22 the WhatsApp information provided is linked to [the Defendant at issue]." Dkt. 32 at 9-12. 23 Plaintiff has now done so for certain Defendants.² Accordingly, evaluating each method of 24 contact proposed by Plaintiff to serve the individual defendants to determine whether it is 25 2 Plaintiff filed his declaration at Dkt. 54-2. Although Plaintiff's exhibits precede his declaration, 26 Plaintiff declares that he personally "performed the investigation and gathered the exhibits, email addresses, WhatsApp accounts, and Facebook accounts presented in the document filed herewith" 27 and "maintain on my home computer system and internet search history all evidence collected and 1 reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of 2 the action and afford them an opportunity to present their objections, the Court GRANTS IN 3 PART Plaintiff's service requests as follows:³ 4 a. Jacqueline Reyes Castillo 5 Jacqueline Reyes Castillo was previously served on April 9, 2025, according to this 6 Court's Prior Order, via registered email to her personal email and the emails of her two most 7 recent lawyers. Dkt. 54-1 at 3; Dkt. 45. All three emails were verified as delivered, and the 8 lawyers' emails were verified as open. Dkt. 54-1 at 3. 9 Nonetheless, considering Jacqueline Reyes Castillo's centrality to the allegations and her 10 non-appearance so far and having granted in part Plaintiff's request for group service as to the 11 Castillo Family Defendants, the Court will permit Plaintiff to attempt to serve this Defendant 12 again as follows: 13 i. Individually: Via Facebook Messenger to her personal Facebook account, (see Dkt. 14 54-1 at 23, Ex. 25); 15 ii. Through Group Service: Via Facebook Messenger to her cousin, Luis Antonio 16 Castillo Juarez's, personal Facebook account, (see Dkt. 54-1 at 23, Ex. 26); 17 iii. Through Group Service: Via Facebook Messenger to her aunt, Gloria Castillo de la 18 Torre's, personal Facebook account, (see Dkt. 54-1 at 23, Ex. 27); 19 iv. Through Group Service: Via WhatsApp message to her aunt, Gloria Castillo de la 20 Torre's, personal WhatsApp number, (see Dkt. 54-1 at 23, Exs. 27-28); and 21 v. Through Group Service: Via WhatsApp message to her mother, María de la Luz 22 Castillo de la Torre's, personal WhatsApp number, (see Dkt. 54-1 at 24, Exs. 27, 29). 23 b. Luis Antonio Castillo Juarez 24 Luis Antonio Castillo Juarez is one of five previously unlocated Defendants, for whom the 25 Court permitted Plaintiff to delay service until after the first Mexican individual defendant's 26 appearance. See, supra, at Table. Plaintiff has

now located this Defendant's personal Facebook 27 1 account, and the Court has granted in part Plaintiff's request for group service as to the Castillo 2 Family Defendants. Dkt. 54-1 at 19, Ex. 26. 3 Accordingly, the Court will permit Plaintiff to attempt service as follows: 4 i. Individually: Via Facebook Messenger to his personal Facebook account, (see Dkt. 5 54-1 at 23, Ex. 26); 6 ii. Through Group Service: Via Facebook Messenger to his cousin, Jacqueline Reyes 7 Castillo's, personal Facebook account, (see Dkt. 54-1 at 23, Ex. 25); 8 iii. Through Group Service: Via registered email to the personal email used by his 9 cousin, Jacqueline Reyes Castillo, during her relationship with Plaintiff and previously 10 authorized by the Court, (see Dkt. 54-1 at 3); and 11 iv. Through Group Service: according to methods a.iii-v., above. 12 c. María de la Luz Castillo de la Torre 13 The Court previously denied without prejudice Plaintiff's request for alternative service as 14 to María de la Luz Castillo de la Torre. Dkt. 32 at 10. Having considered Plaintiff's arguments, 15 declaration and exhibits and having granted in part Plaintiff's request for group service as to the 16 Castillo Family Defendants, the Court now permits Plaintiff to attempt service as follows: 17 i. Individually: Via WhatsApp message María de la Luz Castillo de la Torre's personal 18 WhatsApp number, (see Dkt. 54-1 at 24, Exs. 27, 29); and 19 ii. Through Group Service: according to methods a.ii-iv. and b.iii, above. 20 d. Gloria Castillo de la Torre 21 The Court previously denied without prejudice Plaintiff's request for alternative service as 22 to María de la Luz Castillo de la Torre. Dkt. 32 at 10. Having considered Plaintiff's arguments, 23 declaration and exhibits and having granted in part Plaintiff's request for group service as to the 24 Castillo Family Defendants, the Court now permits Plaintiff to attempt service as follows: 25 i. Individually: Via Facebook Messenger to Gloria Castillo de la Torre's personal 26 Facebook account, (see Dkt. 54-1 at 23, Ex. 27); 27 ii. Individually: Via WhatsApp message to Gloria Castillo de la Torre's personal 1 iii. Through Group Service: according to methods a.ii, a.v. and b.iii, above. 2 e. Luis Roberto Magaña Orozco 3 Luis Roberto Magaña Orozco was previously served on April 9, 2025, according to this 4 Court's Prior Order, via registered email to two personal email addresses used to communicate 5 with Plaintiff previously. Dkt. 54-1 at 3; Dkt. 45-2. Both emails were verified as delivered but 6 neither was opened. Dkt. 54-1 at 3. The Court also previously denied without prejudice 7 Plaintiff's request to serve this Defendant via WhatsApp. Dkt. 32 at 11. 8 Because Plaintiff has now submitted a declaration and exhibits as ordered by the Court and 9 in view of Plaintiff's explanation that, "[f]ortuitously, it was found that Luis Roberto Magana 10 Orozco ... [is] now employed by the Mexican Government," (Dkt. 54-1 at 4, 9), the Court will 11 permit Plaintiff to serve this Defendant again as follows: 12 i. Individually: Via WhatsApp message to his personal, verified WhatsApp account, 13 (see Dkt. 54-1 at 8-9, Exs. 27-28); and 14 ii. Individually: Via registered email to Luis Roberto Magaña Orozco's current work 15 email as city controller for the city of Gomez Palacio, Durango, Mexico, (see Dkt. 54-1 16 at 9, 12, Ex. 4). 17 f. Luis Enrique Martin Del Campo Valencia 18 Plaintiff previously attempted to serve Luis Enrique Martin Del Campo Valencia, on April 19 9, 2025, via registered email to his apparent email for the Torreón roads and planning department.

20 Dkt. 54-1 at 3. However, delivery of this email failed. Id. The Court also previously denied
21 without prejudice Plaintiff's request to serve this Defendant via WhatsApp. Dkt. 32 at 11. 22
Because Plaintiff has now submitted a declaration and exhibits as ordered by the Court, his 23
other service failed and in view of Plaintiff's explanation that, "[f]ortuitously, it was found that ...
24 Luis Enrique Martin Del Campo Valencia [is] now employed by the Mexican Government,"
(Dkt. 25 54-1 at 4, 9), the Court will permit Plaintiff to further attempt service as follows: 26 i.
Individually: Via WhatsApp message to his personal, verified WhatsApp account, 27 (see Dkt. 54-
1 at 13, Ex. 7); and 1 Torreón, Coahuila, Mexico, (see Dkt. 54-1 at 4, 10-12, Ex. 4). 2 g. Cristobal
Everardo Rodríguez Hernández 3 Plaintiff previously attempted to serve Cristobal Everardo
Rodríguez Hernández, on April 4 9, 2025, via registered email to his government email as a public
defender for the state of Coahuila 5 and his personal email listed on documentation while involved
in Plaintiff's cases. Dkt. 54-1 at 3. 6 However, delivery of both emails failed. Id. The Court also
previously denied without prejudice 7 Plaintiff's request to serve this Defendant via WhatsApp.
Dkt. 32 at 11. 8 Because Plaintiff has now submitted a declaration and exhibits as ordered by the
Court and 9 his other service failed, the Court will permit Plaintiff to further attempt service as
follows: 10 i. Individually: Via WhatsApp message to his personal, verified WhatsApp account, 11
(see Dkt. 54-1 at 13, Ex. 9). 12 h. Raymundo Ventura Garcia 13 The Court previously denied
without prejudice Plaintiff's request to serve this Defendant 14 via WhatsApp. Dkt. 32 at 11.
Because Plaintiff has now submitted a declaration and exhibits as 15 ordered by the Court, the
Court will permit Plaintiff to attempt service as follows: 16 i. Individually: Via WhatsApp
message to his personal, verified WhatsApp account used 17 to communicate with Plaintiff during
his representation of Plaintiff, (see Dkt. 54-1 at 9- 18 10, 12, Ex. 6). 19 j. David Obed Salas Ríos 4
20 David Obed Salas Ríos is one of five previously unlocated Defendants, for whom the 21 Court
permitted Plaintiff to delay service until after the first Mexican individual defendant's 22
appearance. See, supra, at Table. Plaintiff has not yet located any personal contact information 23
for this Defendant, and the Court is unpersuaded by Plaintiff's argument that this Defendant may
24 be served via group service as part of the Roma Legal Defendants. See, supra, § III.B.1.a. 25
Accordingly, the Court DENIES Plaintiff's request for alternate service as to David Obed Salas 26
Ríos without prejudice. The request may be renewed when Plaintiff has located contact 27 1
information for this Defendant or after the appearance of other Mexican individual defendants 2
with likely knowledge of David Obed Salas Ríos' contact information. 3 k. Virginia Betancourt
Rodríguez 4 Virginia Betancourt Rodríguez is one of five previously unlocated Defendants, for
whom 5 the Court permitted Plaintiff to delay service until after the first Mexican individual
defendant's 6 appearance. See, supra, at Table. While Plaintiff has not yet located any personal
contact 7 information for this Defendant, because the Court has granted Plaintiff's request for
group service 8 as to the Betancourt Associates Defendants, the Court will permit Plaintiff to
attempt to serve 9 Virginia Betancourt Rodríguez follows: 10 i. Through Group Service: Via
registered email to her daughter and co-worker, Claudia 11 Marcela Ibarra Betancourt's, attorney

work email used to communicate with Plaintiff 12 during the Betancourt Associate Defendants' Mexican representation of Plaintiff, (see 13 Dkt. 54-1 at 14-15, 17; see also Dkt. 32 at 12 (permitting service of Claudia Marcela 14 Ibarra Betancourt via this email address); Dkt. 54-1 at 4 (this email address resulted in 15 successful delivery)); 16 ii. Through Group Service: Via registered email to Israhel Martinez Peinado's attorney 17 work email that was used to communicate with Plaintiff during the Betancourt 18 Associate Defendants' Mexican representation of Plaintiff, (see Dkt. 54-1 at 15-17, Ex. 19 17; see also Dkt. 32 at 12 (permitting service of Israhel Martinez Peinado via this 20 email address) Dkt. 54-1 at 4 (this email address resulted in successful delivery)); 21 iii. Through Group Service: Via WhatsApp message to Israhel Martinez Peinado's 22 personal, verified WhatsApp account, (see Dkt. 54-1 at 15-17, Ex. 16); 23 iv. Through Group Service: via registered email to Irving Terrazas Molina's current 24 attorney work email, (see Dkt. 54-1 at 14-17, Ex. 17); 25 v. Through Group Service: Via WhatsApp message to Irving Terrazas Molina's 26 personal, verified WhatsApp account, (see Dkt. 54-1 at 14-17, Ex. 18); 27 vi. Through Group Service: Via registered email to Fernando Macías Montañez's 1 vii. Through Group Service: Via WhatsApp message to Fernando Macías Montañez's 2 personal, verified WhatsApp account, (see Dkt. 54-1 at 14-17, Ex. 19). 3 l. Jonathan Chavez Betancourt 4 Jonathan Chavez Betancourt is one of five previously unlocated Defendants, for whom the 5 Court permitted Plaintiff to delay service until after the first Mexican individual defendant's 6 appearance. See, supra, at Table. While Plaintiff has not yet located any personal contact 7 information for this Defendant, because the Court has granted Plaintiff's request for group service 8 as to the Betancourt Associates Defendants, the Court will permit Plaintiff to attempt to serve 9 Jonathan Chavez Betancourt follows: 10 i. Through Group Service: according to methods k.i.–vii., above. 11 m. Israhel Martinez Peinado 12 Israhel Martinez Peinado was previously served on April 9, 2025, according to this Court's 13 Prior Order, via registered email to the personal address used while acting as Plaintiff's prior 14 Mexican counsel. Dkt. 54-1 at 4; Dkt. 45-6. The email was verified as delivered but not opened. 15 Dkt. 54-1 at 4. The Court also previously denied without prejudice Plaintiff's request to serve this 16 Defendant via WhatsApp. Dkt. 32 at 12. 17 Because Plaintiff has now submitted a declaration and exhibits as ordered by the Court and 18 having granted Plaintiff's request for group service as to the Betancourt Associates Defendants, 19 the Court will permit Plaintiff to serve this Defendant again as follows: 20 i. Individually: Via WhatsApp message to his personal, verified WhatsApp account, 21 (see Dkt. 54-1 at 15, Ex. 16); and 22 ii. Through Group Service: according to methods k.i. and k.iii–vii., above. 23 n. Irving Terrazas Molina 24 Irving Terrazas Molina was previously served on April 9, 2025, according to this Court's 25 Prior Order, via registered email to his current attorney email. Dkt. 54-1 at 4; Dkt. 45-12. The 26 email was verified as both delivered and opened. Dkt. 54-1 at 4. The Court also previously 27 denied without prejudice Plaintiff's request to serve this Defendant via WhatsApp. Dkt. 32 at 12. 1 the service communication was not only

delivered but actually opened. Dkt. 54-1 at 4. Because 2 Irving Terrazas Molina has not yet appeared, the Court can only conclude that the Defendant has 3 either not yet had a chance to see the notice, disregarded the notice or is preparing a late response. 4 Regardless, it is not clear what Plaintiff hopes to accomplish by attempting further service using 5 Irving Terrazas Molina's personal WhatsApp or via group service. 6 Accordingly, while Irving Terrazas Molina's attorney work email and personal WhatsApp 7 may provide likely-successful avenues of notifying other of the Betancourt Associates Defendants, 8 further service upon Irving Terrazas Molina himself would serve no purpose and is DENIED. 9 o. Enrique Vargas Gutierrez 10 Enrique Vargas Gutierrez is one of five previously unlocated Defendants, for whom the 11 Court permitted Plaintiff to delay service until after the first Mexican individual defendant's 12 appearance. See, supra, at Table. Plaintiff has now located two alternate emails for this 13 Defendant's prior employers, the Women's Justice Center of Torreón Coahuila and the Judicial 14 Branch of the State of Coahuila. Dkt. 54-1 at 21. However, Plaintiff has not provided any 15 evidence suggesting that Enrique Vargas Gutierrez is still employed by either of these entities. 16 While the Court may find service via these entities acceptable if other Mexican individual 17 defendants with potential knowledge of Enrique Vargas Gutierrez's contact information continue 18 to fail to appear, at this time, the Court finds it more appropriate to defer authorization of alternate 19 service until such appearance or entry of default. 20 Accordingly, because the Court also denied Plaintiff's request to serve this Defendant via 21 group service as a member of the Castillo Family Defendants, (see, supra, § III.B.1.d), the Court 22 DENIES Plaintiff's request for alternate service as to Enrique Vargas Gutierrez without prejudice. 23 The request may be renewed when Plaintiff has located contact information for this Defendant, 24 after the appearance of other Mexican individual defendants or after entry of default as to the 25 Mexican individual defendants with likely knowledge of Enrique Vargas Gutierrez's contact 26 information. 27

1 p. Eduardo Nicolas Mireles Jaime 2 Eduardo Nicolas Mireles Jaime is the last of five previously unlocated Defendants, for 3 whom the Court permitted Plaintiff to delay service until after the first Mexican individual 4 defendant's appearance. See, supra, at Table. Plaintiff has now located four contact methods for 5 this Defendant: a personal and business WhatsApp number and a personal and business Facebook 6 account. Dkt. 54-1 13-14, Exs. 10-13. Accordingly, the Court will permit Plaintiff to attempt 7 service as follows: 8 i. Individually: Via WhatsApp message to his personal, verified WhatsApp account, 9 (see Dkt. 54-1 at 13, Exs. 10-11); 10 ii. Individually: Via Facebook Messenger to his personal Facebook account, (see Dkt. 11 54-1 at 13, Ex. 13); 12 iii. Individually: Via WhatsApp message to his business WhatsApp account, (see Dkt. 54- 13 1 at 13, Ex. 12); and 14 iv. Individually: Via Facebook Messenger to his business Facebook account, (see Dkt. 15 54-1 at 13). 16 q. Rolando Castañeda Ruiz 17 The Court previously denied without prejudice Plaintiff's request for alternative service as 18 to Rolando Castañeda Ruiz. Dkt. 32 at 11. Plaintiff's renewed request includes new information 19 supporting service of Rolando Castañeda Ruiz's via his employer's contact information. In 20 particular, Mexico maintains a "platform for transparency"

website, where members of the public 21 may “consult information that, by law, the country’s public institutions publish.” See 22 <https://www-plataformadetransparencia-org-mx> (according to the in-browser translation of the 23 webpage); see also Dkt. 54-1 at 4 (Plaintiff describing it as “a Mexican Government website that 24 lists government employee data”). Plaintiff represents that, based on public information, 25 Defendant Rolando Castañeda Ruiz is a current police officer for the Torreón Police Department.

26 Dkt. 54-1 at 17-18. Exhibit 20 supports this representation. *Id.*, Ex. 20.

27 Having considered Plaintiff’s arguments, declaration and exhibits and relying on the 1 pending suit to its employees, the Court now permits Plaintiff to attempt service as follows: 2 i. Individually: Via WhatsApp message to the Torreón Police Department’s WhatsApp 3 account, (see Dkt. 54-1 at 17-18, Exs. 20-21); and 4 ii. Individually: Via registered email to the Torreón Police Department’s public email 5 address, (see Dkt. 54-1 at 17-18). 6 r. Miguel Misael Martinez Anaya 7 The Court previously denied without prejudice Plaintiff’s request for alternative service as 8 to Miguel Misael Martinez Anaya. Dkt. 32 at 11. For the same reasons as set forth in Section 9 III.B.2.q., above, the Court now permits Plaintiff to attempt service as follows: 10 i. Individually: Via WhatsApp message to the Torreón Police Department’s WhatsApp 11 account, (see Dkt. 54-1 at 17-18, Exs. 20-21); 12 ii. Individually: Via registered email to the Torreón Police Department’s public email 13 address, (see Dkt. 54-1 at 17-18); and 14 iii. Individually: Via WhatsApp message to his personal, verified WhatsApp account, 15 (see Dkt. 54-1 at 17-18, Ex. 22). 16 3. Form and Content of Service Authorized 17 Plaintiff proposes various details of service, including using the same service, Registered 18 Email, for email service and using his personal WhatsApp application and personal Facebook 19 account for service via those accounts. Dkt. 54-1 at 27. However, Plaintiff has also represented 20 that many of the Defendants have blocked him on WhatsApp and/or Facebook, (see, e.g., *id.* at 9- 21 10, 14, 15, 19) and that, for example on WhatsApp, “[i]f somebody has blocked you ..., a sent 22 message will only show one gray tick mark [and] will never be delivered.” Dkt. 54-1 at 6. 23 Additionally, the requests for group service require proper tailoring. Accordingly, in order to 24 increase the likelihood that notice will actually be delivered to the defendants at issue and that they 25 will be actually apprised of the pendency of the action and afforded with an opportunity to present 26 their objections, the Court directs Plaintiff to proceed with service as follows: 27 • Email: The Court prescribes the same method as in its Prior Order, namely, 1 Registered Email (<https://registeredemail.com>). 2 • WhatsApp and Facebook Messenger: Plaintiff shall not personally message 3 the individuals sought to be served but shall employ a process server, private 4 investigator or other third party who is over the age of 18 and who, according to 5 Plaintiff’s best information, has not been blocked by the Defendants at issue. 6 For WhatsApp, such third party shall convey a message via WhatsApp with 7 message delivery confirmation enabled; for Facebook Messenger, such third 8 party shall convey a message via Facebook Messenger using such delivery 9 confirmation as is available in Facebook. 10 • In all cases: Plaintiff shall attach the proposed summons at Dkt. 29-2 and also 11 inform the defendant

in plain text: 12 o of Plaintiff's name; 13 o that attached is a summons in a civil action in the United States District 14 Court for the Northern District of California; and 15 o that the case number is 5:2024-cv-02915. 16 • In cases of "group service": As identified in Section III.B.2., above, Plaintiff 17 shall attach the summons for each Defendant sought to be served via that 18 group and, in addition to the above, shall add in plain text: 19 o "In addition to the summons directed to you, attached are summons 20 directed to [insert names of other members of the group]. You are 21 directed to immediately convey these summons to any of the individuals 22 listed above with whom you are still in contact."

23 IV. CONCLUSION

24 For the foregoing reasons and as described above, Plaintiff's Application is GRANTED 25 IN PART and DENIED IN PART. The Court further alters Plaintiff's deadlines as follows: 26 • Jacqueline Reyes Castillo, Luis Roberto Magaña Orozco, Israhel Martinez 27 Peinado: These Mexican individual defendants were previously served by Plaintiff on 1 forth above. Plaintiff may complete additional service for these Defendants, if any, 2 and file supplemental proofs of service no later than July 30, 2025. 3 • Irving Terrazas Molina: This Mexican individual defendant was previously served 4 on April 9, 2025 and was verified to have opened the service email. Accordingly, 5 Plaintiff shall not pursue further service as to this Defendant. 6 • María de la Luz Castillo de la Torre, Gloria Castillo de la Torre, Luis Enrique 7 Martin Del Campo Valencia, Cristobal Everardo Rodríguez Hernández, Cristobal 8 Everardo Rodríguez Hernández, Raymundo Ventura Garcia, Rolando Castañeda 9 Ruiz, Miguel Misael Martinez Anaya: These Mexican individual defendants were 10 either not served because the Court denied without prejudice Plaintiff's prior request or 11 because Plaintiff attempted, but failed, to serve them. The Court authorizes attempts to 12 serve these Defendants as set forth above. Plaintiff shall attempt service for these 13 Defendants and file proofs of service no later than July 30, 2025. 14 • Luis Antonio Castillo Juarez, Virginia Betancourt Rodríguez, Jonathan Chavez 15 Betancourt, Enrique Vargas Gutierrez: These four individual Mexican Defendants 16 were previously unlocated by Plaintiff. They have now been located or are part of a 17 group that the Court agrees is sufficiently closely connected such that the Court 18 authorizes further attempts to serve these Defendants as set forth above. Plaintiff shall 19 attempt service for these Defendants and file proofs of service no later than July 30, 20 2025. 21 • David Obed Salas Ríos: This Mexican individual defendant was previously unlocated 22 by Plaintiff. The Defendant remains unlocated, and the Court is not persuaded that he 23 is sufficiently closely connected so as to authorize group service. Accordingly, 24 Plaintiff continues to have 30 days, beginning from the day on which the first of the 25 Roma Legal Defendants makes an appearance, to file a status report as to Plaintiff's 26 efforts to serve this Defendant. 27 • Defendant Quintero: For clarity, there has been no change as to this Defendant and] Crisp makes an appearance, to file a status report as to Plaintiff's efforts to serve 2 Defendant Quintero and seek additional time to serve Defendant Quintero, if necessary. 3 Plaintiff may renew his application for service by publication at that time. 4 5 SO ORDERED. 6 7

Dated: June 30, 2025 8 9 Suwa

SUSAN VAN KEULEN

10 United States Magistrate Judge 1] as 12 13 «14 15 16 Oo Z 18 19 20 21 22 23 24 25 26 27 28

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