

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Timothy Current v. Amazon.com Sales, Inc., Amazon.com Services, LLC, Amazon.com Services, Inc., Segway, Inc., Ninebot, Inc., Ninebot Acquisition Corp., Ninebot, Ltd., and Ninebot (Changzhou) Tech Co., Ltd.

Current · No. 26-cv-2071-EFM-JBW · Decided May 19, 2026

SUMMARY

The United States District Court for the District of Kansas directs the plaintiff to exercise reasonable efforts to serve two foreign defendants under the Hague Convention. The court orders the plaintiff to file a status report by August 14, 2026, if returns of service have not been filed, detailing the service efforts and expected timing.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Jennifer B. Wieland
JURISDICTION	United States District Court for the District of Kansas
DECIDED	May 19, 2026
DOCKET	26-cv-2071-EFM-JBW
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order addressing the status and timing of service of process on two foreign corporate defendants that had not yet been served.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- service of process
- personal jurisdiction
- civil procedure

PRACTICE AREAS

- civil procedure
- international service of process

QUESTIONS PRESENTED

1. Whether Federal Rule of Civil Procedure 4(m)'s ninety-day service period applies to service on corporations in foreign countries under Rule 4(h)(2).
2. Whether the court should require plaintiff to pursue foreign service diligently and report on the status of service by a specified date.

HOLDINGS

1. Federal Rule of Civil Procedure 4(m) does not apply to service on a corporation, partnership, or association in a foreign country under Rule 4(h)(2).
2. Although Rule 4(m) does not impose a ninety-day deadline for foreign service, the time allowed for foreign service is not unlimited, and the plaintiff must exercise reasonable efforts to effect service.

KEY QUOTATIONS

“Even so, the “time allowed for foreign service is not unlimited.”” (Order text)

“The Court directs Plaintiff to exercise reasonable efforts to effectuate service on Defendants Ninebot, Ltd. and Ninebot (Changzhou) Tech Co., Ltd.” (Order text)

“This status report should provide sufficient detail to update the Court on the steps taken to effectuate service, when returns of service are expected, and any other information to demonstrate reasonable efforts in effectuating service.” (Order text)

FACTUAL BACKGROUND

The complaint was filed on February 4, 2026, but two foreign defendants, Ninebot, Ltd. and Ninebot (Changzhou) Tech Co., Ltd., had not been served. Plaintiff's counsel reported that a third party was pursuing service through the Hague Convention and estimated that service would take approximately one to three months for the Cayman Islands defendant and two to five months for the Chinese defendant. The court required plaintiff to continue reasonable efforts and provide a detailed status report if service was not completed by August 14, 2026.

PROCEDURAL HISTORY

Plaintiff filed the complaint on February 4, 2026. No service had been accomplished on Ninebot, Ltd. or Ninebot (Changzhou) Tech Co., Ltd. The court contacted plaintiff's counsel regarding service, learned that international service through the Hague Convention was ongoing, and ordered plaintiff to use reasonable efforts and file a status report by August 14, 2026, if returns of service had not been filed.

DISPOSITION

other

CASES CITED

- Blackmon v. U.S.D. 259 Sch. Dist., 769 F. Supp. 2d 1267, 1273 (D. Kan. 2011)

- *Briseno v. Mktg. & Mgmt. Sols., LLC*, No. 18-02482-CM-JPO, 2020 WL 618577, at *3 (D. Kan. Feb. 10, 2020)
- *Nylock Corp. v. Fasterner World Inc.*, 396 F.3d 805, 806 (7th Cir. 2005)
- *MacGirvin v. Sook*, No. 08-2197-KHV, 2009 WL 424587, at *2 (D. Kan. Feb. 19, 2009)
- *Nabulsi v. Nahyan*, No. H-06-2683, 2008 WL 1924235, at *5-6 (S.D. Tex. Apr. 29, 2008)

OPINION

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS TIMOTHY CURRENT, Plaintiff, Case No. 26-cv-2071-EFM-JBW v. AMAZON.COM SALES, INC., AMAZON.COM SERVICES, LLC, AMAZON.COM SERVICES, INC., SEGWAY, INC., NINEBOT, INC., NINEBOT ACQUISITION CORP., NINEBOT, LTD., and NINEBOT (CHANGZHOU) TECH CO., LTD., Defendants. ORDER REGARDING SERVICE ON DEFENDANTS IN FOREIGN COUNTRIES The Complaint (Dkt.

1) in this case was filed February 4, 2026. The files and records of the Court disclose that no service of the summons and the Complaint has been accomplished on Defendants Ninebot, Ltd., and Ninebot (Changzhou) Tech Co., Ltd. On May 7, 2026, the Court contacted Plaintiff's counsel by email to inquire as to the status of service on Defendants Ninebot, Ltd. and Ninebot (Changzhou) Tech Co., Ltd., which are foreign entities.

Counsel responded Plaintiff had retained a third party to assist with international service of process on both remaining defendants through the Hague Convention, the process was ongoing, and counsel would remain diligent in that process. Counsel further responded that estimated time for service on Ninebot, Ltd. (Cayman Islands) is approximately 1–3 months, and time for service on Ninebot Changzhou Tech.

Co., Ltd. (China) is approximately 2–5 months. The Court lacks personal jurisdiction over a defendant if service of process is insufficient under Federal Rule of Civil Procedure 4.1 Rule 4(m) generally limits the time to accomplish such service on nonforeign defendants to “within 90 days after the complaint is filed.” However, Rule 4(m) expressly states it “does not apply to service in a foreign country under Rule 4(f), 4(h)(2), or 4(j)(1), or to service of a notice under Rule 71.1(d)(3) (A).”² Thus, Rule 4(m) does not apply to service on a corporation, partnership, or association in a foreign country under Rule 4(h)(2).

Even so, the “time allowed for foreign service is not unlimited.”³ At least one case from this District has set a deadline for the plaintiff to accomplish service on a foreign defendant and required the plaintiff to demonstrate “reasonable efforts to serve defendant abroad, and that service of process on defendant is eminent or feasible” for any extension request.⁴ The Court directs Plaintiff to exercise reasonable efforts to effectuate service on Defendants Ninebot, Ltd. and Ninebot (Changzhou) Tech Co., Ltd. The Court further ORDERS Plaintiff to file a status report on

or before August 14, 2026, if returns of service for these Defendants have not been filed by that date.

This status report should provide sufficient detail to update the Court on the steps taken to effectuate service, when returns of service are expected, and any other information to demonstrate reasonable efforts in effectuating service. IT IS SO ORDERED. 1 *Blackmon v. U.S.D.* 259 Sch. Dist., 769 F. Supp. 2d 1267, 1273 (D. Kan. 2011). 2 Fed. R. Civ. P. 4(m). 3 *Briseno v. Mktg. & Mgmt.*

Sols., LLC, No. 18-02482-CM-JPO, 2020 WL 618577, at *3 (D. Kan. Feb. 10, 2020) (citing *Nylock Corp. v. Fasterner World Inc.*, 396 F.3d 805, 806 (7th Cir. 2005)). 4 *MacGirvin v. Sook*, No. 08-2197-KHV, 2009 WL 424587, at *2 (D. Kan. Feb. 19, 2009) (citing *Nabulsi v. Nahyan*, No. H-06-2683, 2008 WL 1924235, at *5-6 (S.D. Tex. Apr. 29, 2008)). Dated on May 19, 2026, in Kansas City, Kansas.

Jennifer B. Wieland U.S. Magistrate Judge