

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Cody Coulton, et al. v. Vincent Gaetano Lombardi, et al.

Coulton · No. 25-cv-13911 · Decided March 5, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan granted Plaintiffs’ motion for alternate service on Thomas Bradley Messier and XDRIP Digital Management LLC. The Court authorized service by first-class mail, posting, email, and direct message, and extended the summons for Defendant Jason Morrow by thirty days.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Robert J. White
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	March 5, 2026
DOCKET	25-cv-13911
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for alternate service of process on Thomas Bradley Messier and XDRIP Digital Management LLC and for a thirty-day extension of the summons as to Jason Morrow.
STANDARD OF REVIEW	The court applied the standard governing authorization of alternate service under Federal Rule of Civil Procedure 4(e)(1) and Michigan Court Rule 2.105(J), requiring a method reasonably calculated to provide actual notice.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated in the opinion.

TOPICS

- service of process
- civil procedure
- due process

PRACTICE AREAS

- civil procedure
- service of process

QUESTIONS PRESENTED

1. Whether the court should authorize alternate service on Messier and XDRIP Digital Management LLC when conventional service could not reasonably be completed.
2. Whether good cause supported extending the summons as to Jason Morrow for thirty days.

HOLDINGS

1. Alternate service was authorized because Plaintiffs demonstrated due diligence in attempting conventional service and the proposed methods were reasonably calculated to give the defendants actual notice.
2. The summons as to Jason Morrow was extended for thirty days because good cause was shown.

KEY QUOTATIONS

“The constitutional standard requires only that service be “reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action.””

“These facts indicate Defendant Messier resides at this address and is deliberately avoiding service.”

FACTUAL BACKGROUND

A certified process server made four unsuccessful attempts to serve Messier at his registered-agent address and observed circumstances indicating occupancy, including interior lights, personal and business vehicles, and artwork bearing Messier's surname. Certified mail sent to the address was neither accepted nor returned. Plaintiffs proposed service by first-class mail, posting at the residence, email to XDRIP's published email address, and direct message to XDRIP's official X.com page.

PROCEDURAL HISTORY

Plaintiffs attempted conventional service on Messier at his registered-agent address, including four process-server visits and certified mail, but service was unsuccessful. The court granted alternate service by first-class mail, posting, email, and direct message to XDRIP's official X.com page, and extended the summons as to Morrow for thirty days.

DISPOSITION

other

CASES CITED

- Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION CODY COULTON, et al., Plaintiff(s), Case No. 25-cv-13911 v. Honorable Robert J.

White VINCENT GAETANO LOMBARDI, et al., Defendant(s). ORDER GRANTING PLAINTIFFS' MOTION FOR ALTERNATE SERVICE AND EXTENSION OF SUMMONSES Pending before the Court is Plaintiffs' Motion for Alternate Service of Process upon Defendant Thomas Bradley Messier (aka "Brad Messier") and Defendant XDRIP Digital Management LLC, and for an Extension of the Summonses as to Defendant Jason Morrow (ECF No. 2, PageID.181-182).

Plaintiffs seek leave to serve Defendants Messier and XDRIP by first-class mail, posting at the residence and registered address, email to the XDRIP published email address, and direct message to the official XDRIP X.com page. Plaintiffs also seek a thirty (30) day extension of the summons as to Defendant Jason Morrow. Plaintiffs have demonstrated due diligence in attempting service by conventional means.

A certified process server submitted an affidavit stating that he had made four attempts at Defendant Messier's registered agent address without success, while documenting evidence of occupancy: lights on inside the home, personal and business vehicles present (including a truck displaying "Luminocity Electrical Design," another company for which Defendant Messier is the registered agent at the same address), and artwork bearing Defendant's surname visible inside the residence.

Additionally, certified mail sent to the same address has not been accepted or returned. These facts indicate Defendant Messier resides at this address and is deliberately avoiding service. Federal Rule of Civil Procedure 4(e)(1) permits service by methods authorized under state law. Michigan Court Rule 2.105(J) authorizes the Court to permit service "in any other manner reasonably calculated to give the defendant actual notice" when service cannot reasonably be made by standard methods.

The constitutional standard requires only that service be "reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action." *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

The proposed methods satisfy this standard. Accordingly, it is ORDERED that Plaintiffs' Motion for Alternate Service of Process (ECF No. 14) is GRANTED. It is further ORDERED that Plaintiffs are DIRECTED to effectuate service of the Summons, Complaint, and this Order upon Defendant Thomas Bradley Messier (Brad Messier), individually, and upon Defendant XDRIP Digital Management LLC, to which Messier is also its registered agent, by: (1) USPS first-class mail to 1345 Diana Lane, Colorado Springs, CO 80909; (2) posting at 1345 Diana Lane, Colorado Springs, CO 80909; (3) email to contact@xdrip.io; and (4) direct message to the official XDRIP X.com page (x.com/XDRIP).

It is further ORDERED that, good cause having been shown, the summons as to Defendant Jason Morrow is extended for thirty (30) days from the date of this Order. SO ORDERED. Dated: March 5, 2026 s/Robert J. White Robert J. White United States District Judge

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