

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

National Drayage Services (DE), LLC v. Melis Gruup, LLC

Civil Action No. 3:25-CV-1282 (M.D. Pa. Mar. 23, 2026) · No. 3:25-CV-1282 · Decided March 23, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania denied Melis Gruup, LLC’s motion to dismiss for insufficient service of process and alternative motion to transfer venue. The court held that service on a Melis employee satisfied Pennsylvania law and Federal Rule of Civil Procedure 4(h)(1)(A). The court also found that the Northern District of Texas was an available venue but concluded that the relevant transfer factors did not warrant moving the action.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Karoline Mehalchick
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 23, 2026
DOCKET	3:25-CV-1282
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to dismiss for insufficient service of process under Federal Rule of Civil Procedure 12(b)(5) or, alternatively, to transfer the action to the Northern District of Texas under 28 U.S.C. § 1404(a).
STANDARD OF REVIEW	On a Rule 12(b)(5) motion, the party asserting the validity of service bears the burden of proving proper service. A § 1404(a) transfer is discretionary, and the moving party bears the burden of showing that the Jumara factors warrant transfer.
PRECEDENTIAL VALUE	unpublished district court memorandum; nonprecedential

TOPICS

- service of process
- motions to dismiss
- venue
- civil procedure
- breach of contract

PRACTICE AREAS

- civil procedure
- commercial litigation
- contracts

QUESTIONS PRESENTED

1. Whether service of process on Melis Group was sufficient under Federal Rule of Civil Procedure 4(h)(1)(A) and Pennsylvania Rule of Civil Procedure 424.
2. Whether the action could have been brought in the Northern District of Texas for purposes of 28 U.S.C. § 1404(a).
3. Whether the private and public interest factors under *Jumara* favored transferring the action to the Northern District of Texas.

HOLDINGS

1. Service was proper under Federal Rule of Civil Procedure 4(h)(1)(A) because the process server served a Melis employee who had a sufficient direct connection to Melis and appeared to derive authority from the defendant's registered agent, satisfying Pennsylvania Rule of Civil Procedure 424(2).
2. The action might have been brought in the Northern District of Texas because Melis was incorporated in Texas and maintained its principal place of business in Lancaster, Texas, within that district.
3. Transfer to the Northern District of Texas was unwarranted because, although the claim-related events in Texas strongly favored transfer, most other private and public *Jumara* factors were neutral and Melis failed to carry its burden.

KEY QUOTATIONS

“Before a federal court may exercise personal jurisdiction over a defendant, the procedural requirement of service of summons must be satisfied.” (III.A)

“there must be a sufficient connection between the person served and the defendant to demonstrate that service was reasonably calculated to give the defendant notice of the action against it.” (III.A.1)

“Melis has failed to satisfy that burden under 28 U.S.C. § 1404(a).” (III.B.4)

FACTUAL BACKGROUND

Around September 2024, National Drayage Services and Melis Group formed an agreement under which National Drayage Services would provide transportation services, secure equipment, and incur related charges. National Drayage Services invoiced Melis after delivering shipments, but Melis did not pay. On a third attempt to serve Melis's registered agent, the process server spoke with Melis employee Cristal Chavez and left the summons and complaint on a desk in her presence.

PROCEDURAL HISTORY

National Drayage Services filed the complaint on July 14, 2025, asserting claims for unpaid motor-carrier freight and accessorial charges, breach of contract, unjust enrichment, and promissory estoppel. Melis filed its motion to dismiss and alternative motion to transfer on August 19, 2025. After briefing, the court denied both motions without prejudice.

DISPOSITION

CASES CITED

- Omni Capital Int'l v. Rudolf Wolff & Co., Ltd., 484 U.S. 97, 104 (1987)
- McDonald v. SEIU Healthcare Pennsylvania, No. 1:13-CV-2555, 2014 WL 4672493, at *3 (M.D. Pa. Sept. 18, 2014)
- Mitchell v. Theriault, 516 F. Supp. 2d 450, 452 (M.D. Pa. 2007)
- Grand Ent. Grp., Ltd. v. Star Media Sales, Inc., 988 F.2d 476, 485-88 (3d Cir. 1993)
- Cintas Corp. v. Lee's Cleaning Servs., Inc., 549 Pa. 84, 95-96 (1997)
- Ace Am. Ins. Co. v. Meadowlands Dev. Ltd. P'ship, 140 F. Supp. 3d 450, 453 (E.D. Pa. 2015)
- C.O. v. Universal Health Services, Inc., No. CV 24-4322, 2025 WL 564934, at *1-2 (E.D. Pa. Feb. 19, 2025)
- Victory v. Berks County, No. CV 18-5170, 2019 WL 1507769, at *25 (E.D. Pa. Apr. 5, 2019)
- State Farm Mut. Auto. Ins. Co. v. Tz'doko V'Chesed of Klausenberg, 543 F. Supp. 2d 424, 429 (E.D. Pa. 2008)
- Just Enters., Inc. v. O'Malley & Langan, P.C., 560 F. Supp. 2d 345, 352 (M.D. Pa. 2008)
- Shutte v. Armco Steel Corp., 431 F.2d 22, 25 (3d Cir. 1970)
- Handlos v. Litton Indus., Inc., 304 F. Supp. 347, 352 (E.D. Wis. 1969)
- High River Ltd. P'ship v. Mylan Labs., Inc., 353 F. Supp. 2d 487, 491 (M.D. Pa. 2005)
- Jumara v. State Farm Ins. Co., 55 F.3d 873, 879-80 (3d Cir. 1995)
- Petroleum Serv. Co. v. Santie's Wholesale Oil Co., No. 3:23CV1500, 2024 WL 816619, at *3-8 (M.D. Pa. Feb. 27, 2024)
- In re United States, 273 F.3d 380, 388 (3d Cir. 2001)
- In re Balsimo, 68 F.3d 185, 187 (7th Cir. 1995)
- Atlantic Marine Construction Co. v. United States District Court, 571 U.S. 49, 60 (2013)
- Chavez v. Dole Food Co., 836 F.3d 205, 211 n.8 (3d Cir. 2016)
- Kisano Trade & Invest Ltd. v. Lemster, 737 F.3d 869, 873 (3d Cir. 2013)
- Maguire Ins. Agency, Inc. v. Amynta Agency, Inc., No. CV 21-4664, 2021 WL 5987318, at *4-5 (E.D. Pa. Dec. 17, 2021)
- Collins on behalf of herself v. Mary Kay, Inc., 874 F.3d 176, 185 n.8 (3d Cir. 2017)
- Thru Tubing Sols. v. Robbins, No. 4:23-CV-01476, 2023 WL 8549131, at *4 (M.D. Pa. Dec. 11, 2023)
- Castle Co-Packers, LLC v. Busch Mach., Inc., 687 F. Supp. 3d 659, 669 n.2 (W.D. Pa. 2023)
- Dawes v. Pub. Am., LLC, 563 F. App'x 117, 118 (3d Cir. 2014)
- Hoffman v. Blaski, 363 U.S. 335, 344 (1960)
- Daimler AG v. Bauman, 571 U.S. 117, 137 (2013)
- Whipstock Nat. Gas Servs., LLC v. Trans Energy, Inc., No. 02:08CV1084, 2008 WL 4287158, at *3 (W.D. Pa. Sept. 17, 2008)
- Cottman Transmission Sys., Inc. v. Martino, 36 F.3d 291, 294 (3d Cir. 1994)

- Fr. Meyer Sohn N. Am. LLC v. Nordana (USA) Inc., No. CV 12-1632, 2012 WL 13005642, at *3 (E.D. Pa. July 16, 2012)
- S.O.S. Salson Inc. v. Acad. Corp., No. CIV. 092159 WHW, 2009 WL 3110952, at *5 (D.N.J. Sept. 23, 2009)
- Regmund v. Talisman Energy USA, Inc., No. CV 16-711, 2016 WL 5794227, at *5, *8-9 (W.D. Pa. Aug. 31, 2016)
- Rauhala v. Greater New York Mut. Ins., No. CV 22-1788, 2022 WL 16553383, at *4 (E.D. Pa. Oct. 31, 2022)
- In re Howmedica Osteonics Corp., 867 F.3d 390, 402 n.7 (3d Cir. 2017)

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