

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
ILLINOIS

**Pradeep Reddy and Bindu Reddy v. C. Channa Reddy and C.  
Usharani Reddy**

Reddy · No. 25-cv-1310-JPG · Decided March 18, 2026

SUMMARY

The United States District Court for the Southern District of Illinois declines to authorize alternative service on defendants believed to be located in India under Federal Rule of Civil Procedure 4(f)(3), because the plaintiffs did not establish that service under the Hague Convention was unavailable or that the proposed methods complied with due process and international agreements. The court finds good cause to extend the service deadline to 180 days after entry of the order and discharges the order to show cause.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                     |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of Illinois                                                                                                                                                                                                  |
| WRITING FOR THE COURT | J. Phil Gilbert                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Southern District of Illinois                                                                                                                                                                                                  |
| DECIDED               | March 18, 2026                                                                                                                                                                                                                                                      |
| DOCKET                | 25-cv-1310-JPG                                                                                                                                                                                                                                                      |
| DISPOSITION           | other                                                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | The court considered plaintiffs' response to an order to show cause why the action should not be dismissed for failure to serve defendants within 90 days and their request for authorization of alternative service under Federal Rule of Civil Procedure 4(f)(3). |
| STANDARD OF REVIEW    | The court exercised discretion under Federal Rule of Civil Procedure 4(f)(3) regarding alternative service and determined whether good cause existed to extend the service period under Rule 4(m).                                                                  |
| PRECEDENTIAL VALUE    | Unpublished district court memorandum and order; persuasive rather than precedential outside the case.                                                                                                                                                              |

TOPICS

- service of process
- civil procedure

## PRACTICE AREAS

Civil procedure

International service of process

## QUESTIONS PRESENTED

1. Whether the court should authorize service on defendants in India by mailing the summons and complaint to their United States counsel or by email under Federal Rule of Civil Procedure 4(f)(3).
2. Whether good cause existed to extend the Rule 4(m) service period beyond 90 days.

## HOLDINGS

1. The court declined to authorize plaintiffs' proposed alternative methods of service because plaintiffs did not show that service under the Hague Convention was unavailable or ineffective, did not establish that the proposed methods satisfied federal due process, and did not establish that they were not prohibited by international agreement.
2. The court found good cause for plaintiffs' failure to serve within 90 days and extended the time for service to 180 days after entry of the order.

## KEY QUOTATIONS

*"[C]ompliance with the Convention is mandatory in all cases to which it applies,"*

*"The Court will therefore decline the plaintiffs' invitation to allow alternative methods of service under Rule 4(f)(3)."*

## FACTUAL BACKGROUND

Plaintiffs attempted unsuccessfully to obtain waivers of service from defendants and attempted to notify them of the summons and complaint by other means. Plaintiffs believed defendants were located in India, a signatory to the Hague Convention on Service Abroad. They proposed mailing the summons and complaint to defendants' United States counsel or emailing the documents, but did not explain why Hague Convention service was unavailable or ineffective, how the proposed methods satisfied due process, or why they were not prohibited by an international agreement.

## PROCEDURAL HISTORY

Plaintiffs filed a complaint and unsuccessfully attempted to obtain waivers of service or otherwise notify defendants, whom they believed were in India. The court issued an order to show cause regarding the failure to serve within 90 days. After plaintiffs responded and requested alternative service by mailing or email, the court denied that request, found good cause for the delay, extended the service period to 180 days, and discharged the show-cause order.

## DISPOSITION

other

## CASES CITED

- Volkswagenwerk Aktiengesellschaft v. Schlunk, 486 U.S. 694 (1988)

## OPINION

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS  
PRADEEP REDDY and BINDU REDDY, Plaintiffs, v. Case No. 25-cv-1310-JPG C. CHANNA  
REDDY and C. USHARANI REDDY, Defendants. MEMORANDUM AND ORDER This matter  
comes before the Court on the plaintiffs' response (Doc. 8) to the Court's March 12, 2026, order to  
show cause why this case should not be dismissed for failure to serve process within 90 days of  
the date they filed the Complaint (Doc.

7). The plaintiffs have attempted unsuccessfully to obtain waivers of service from the defendants  
and have attempted to otherwise notify the defendants of the Summons and the Complaint. The  
plaintiffs believe the defendants are in India, and they ask the Court to authorize alternative  
service means pursuant to Federal Rule of Civil Procedure 4(f)(3) by mailing the Summons and  
Complaint to the defendants' counsel in the United States or by emailing the documents to the  
defendants.

Rule 4(f) governs service of process on an individual in a foreign country: (f) Serving an  
Individual in a Foreign Country. Unless federal law provides otherwise, an individual—other than  
a minor, an incompetent person, or a person whose waiver has been filed—may be served at a  
place not within any judicial district of the United States: (1) by any internationally agreed means  
of service that is reasonably calculated to give notice, such as those authorized by the Hague  
Convention on the Service Abroad of Judicial and Extrajudicial Documents; \* \* \* (3) by other  
means not prohibited by international agreement, as the court orders.

Subparagraph (1) refers to the Hague Convention on the Service Abroad of Judicial and  
Extrajudicial Documents in Civil or Commercial Matters ("Hague Convention"), opened for  
signature Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. 6634 (appended to Fed. R. Civ. P. 4).

The Hague Convention "was intended to provide a simpler way to serve process abroad, to assure  
that defendants sued in foreign jurisdictions would receive actual and timely notice of suit, and to  
facilitate proof of service abroad." Volkswagenwerk Aktiengesellschaft v. Schlunk, 486 U.S. 694,  
698 (1988).

The Hague Convention contemplates international service of process through the "central  
authority" of each signatory state involved: The primary innovation of the Convention is that it  
requires each state to establish a central authority to receive requests for service of documents  
from other countries. 20 U.S.T. 362, T.I.A.S. 6638, Art. 2. Once a central authority receives a  
request in the proper form, it must serve the documents by a method prescribed by the internal law  
of the receiving state or by a method designated by the requester and compatible with that law.

Art. 5. The central authority must then provide a certificate of service that conforms to a specified model. Art. 6. A state also may consent to methods of service within its boundaries other than a request to its central authority. Arts. 8-11, 19. Id. at 698-99. “[C]ompliance with the Convention is mandatory in all cases to which it applies,” Id. at 705; Fed.

R. Civ. P. 4 advisory committee’s notes (1993 Amendments, Subdivision (f)) (“Use of the Convention procedures, when available, is mandatory if documents must be transmitted abroad to effect service.”). Under Rule 4(f)(3), a district court has discretion to allow an alternative method of service. It may be appropriate where service under the Hague Convention is unavailable because a signatory nation or its central authority is too slow or refuses to cooperate.

Fed. R. Civ. P. 4 advisory committee’s notes (1993 Amendments, Subdivision (f)). Any alternative method must satisfy federal due process requirements. Rule 4(f)(3) is limited by its terms to “means not prohibited by international agreement” such as the Hague Convention. India and the United States are signatories to the Hague Convention. See Hague Conference on Private International Law, Service section, Status table, <https://www.hcch.net/en/instruments/conventions/status-table/?cid=17> (visited Mar.

18, 2026). The plaintiffs have not explained why the Hague Convention is unavailable or ineffective for service of process in this case. Further, they do not explain how the service methods they propose as alternatives satisfy federal due process requirements and are not prohibited by international agreement.

The Court will therefore decline the plaintiffs’ invitation to allow alternative methods of service under Rule 4(f)(3). The Court will, however, find there is good cause for failure to serve within 90 days of the filing of the Complaint and for extending the time for service.

The Court therefore ORDERS that the time for service of process under Rule 4(m) is extended to 180 days after entry of this order. The plaintiffs may reapply for a further extension if necessary and justified by good cause.

The Court DISCHARGES the order to show cause (Doc. 7). IT IS SO ORDERED. DATED: March 18, 2026 s/ J. Phil Gilbert J. PHIL GILBERT DISTRICT JUDGE