

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Alex D. Moglia, in his capacity as court-appointed receiver v. Marie R. Israelsen, et al.

Moglia · No. 1:25-cv-00086 · Decided February 19, 2026

SUMMARY

The United States District Court for the District of Utah grants court-appointed receiver Alex D. Moglia’s motion for alternative service on Alexandria Gomez. The court finds that diligent efforts to locate and personally serve Gomez were unsuccessful and that email service was reasonably calculated to notify her of the action. The order authorizes service by email three times per week for two consecutive weeks and extends the service deadline to April 13, 2026.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Daphne A. Oberg
JURISDICTION	United States District Court for the District of Utah
DECIDED	February 19, 2026
DOCKET	1:25-cv-00086
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 4(e)(1) and Utah Rule of Civil Procedure 4(d)(5) for authorization to serve defendant Alexandria Gomez by email after unsuccessful efforts to locate and personally serve her.
STANDARD OF REVIEW	The court evaluated whether the requirements for alternative service under Utah Rule of Civil Procedure 4(d)(5) were satisfied, including reasonable diligence and whether the proposed method was reasonably calculated to provide notice.
PRECEDENTIAL VALUE	unpublished

TOPICS

service of process

civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the receiver demonstrated that Alexandria Gomez could not be located despite reasonable diligence or otherwise satisfied Utah's requirements for alternative service.
2. Whether service of the summons, complaint, and order by email was reasonably calculated under the circumstances to notify Gomez of the action.

HOLDINGS

1. Alternative service was authorized because the receiver made reasonably diligent efforts to locate and personally serve Gomez and was unable to do so.
2. Service by email was authorized because the identified email address was reasonably calculated to notify Gomez of the action.

KEY QUOTATIONS

“Because Mr. Moglia has shown Ms. Gomez cannot be located despite diligent efforts and the proposed method of service is reasonably calculated to notify her of this action, the motion is granted.” (Conclusion)

“Mr. Moglia may serve Ms. Gomez by sending a summons, the complaint, and a copy of this order to alexandriag1023@yahoo.com three times per week for two consecutive weeks, not more often than once every other day (unless a written response is received from Ms. Gomez acknowledging receipt of service).”
(Conclusion)

FACTUAL BACKGROUND

Alex D. Moglia was appointed receiver to identify, collect, and preserve receivership assets for the benefit of creditors. The receiver alleged that Alexandria Gomez received money obtained by Mark Israelsen through fraud. A process server and the receiver made multiple unsuccessful efforts to locate and personally serve Gomez, including attempts at a Utah apartment complex, skip tracing, searches through email and Cash App, and efforts to identify her apartment number. Records showed that Gomez had used a particular email address to communicate with Israelsen for several years, and an email sent to that address did not generate a non-delivery notice.

PROCEDURAL HISTORY

In this receivership action, the court-appointed receiver sought leave to serve Alexandria Gomez, an alleged recipient of fraudulently obtained funds, through alternative service. The court found that the receiver had made reasonably diligent efforts to locate and personally serve Gomez and that email service was reasonably calculated to notify her of the action. The motion was granted, with specified conditions and an extended service deadline.

DISPOSITION

other

CASES CITED

- East West Bank v. QIT Tech. Holdings, Inc., et al., No. 2:25-cv-00105 (D. Utah, filed Feb. 12, 2025)
- DeMaestri v. Verifacts Inc., No. 11-cv-02430, 2012 U.S. Dist. LEXIS 49861, at *14 (D. Colo. Mar. 16, 2012)
- C504750P LLC v. Baker, 2017 UT App 36, 397 P.3d 599
- Great Bowery v. Best Little Sites, No. 2:21-cv-00567, 2022 U.S. Dist. LEXIS 100972, at *8 (D. Utah Mar. 24, 2022)
- Mattel, Inc. v. AnimeFun Store, No. 18 Civ. 8824, 2020 U.S. Dist. LEXIS 77660, at *12–13 (S.D.N.Y. May 1, 2020)

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