

1 Stanislav Arbit
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6 Plaintiff

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA
10 PHOENIX DIVISION

13 **Stanislav Arbit**) CASE NO.:CV23-00533-PHX-SPL
14 Plaintiff,)
15) MOTION FOR SERVICE BY A MARSHAL
16 vs.) OR SOMEONE SPECIALLY APPOINTED BY
17 **SCHNEIDER ELECTRIC**) THE COURT
18) [F.R.C.P. RULE 4 SUMMONS § (b)(3)]
19)
20 Defendant.) MEMORANDUM OF POINTS AND
21) AUTHORITIES
22)
23) *[Proposed Order and Declaration of Stanislav*
24) *Arbit Filed Separately]*
25)
26) Complaint Filed: 03/29/23
27) Judge Steven P Logan
28 _____

1 Plaintiff moves the court for an order for service of a summons by a marshal or
2 someone specially appointed by the court.

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4 MEMORANDUM OF POINTS AND AUTHORITIES IN
5 SUPPORT OF MOTION FOR SERVICE BY A MASHAL OR SOMEONE SPECIALLY
6 APPOINTED BY THE COURT
7 [F.R.C.P. RULE 4 SUMMONS § (b)(3)]
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9 I.

10 INTRODUCTION
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12 Plaintiff filed the complaint on 03/29/23. Document #7 of the civil docket for case #:
13 2:23-cv-00533-SPL is an order granting Motion for Leave to Proceed In Forma Pauperis,
14 signed by Judge Steven P Logan on 04/3/23. On 04/08/23 Plaintiff mailed a copy of a
15 preliminary order, Document #8, dated April 3, 2023—to Annette Clayton. Plaintiff sent the
16 order with a copy of the complaint, form AO398, two copies of form AO399, and a self-
17 addressed stamped envelope. Plaintiff sent the package via USPS. The package was
18 addressed to Annette Clayton and sent to 70 Mechanic Street, Foxboro, MA 02035. Schneider
19 Electric provided the mailing address. Defendant was given 31 days to return the waiver. As
20 of May 14, 2023, Plaintiff has not received the waiver or any other communication from the
21 defendant. Plaintiff requests service be made by a marshal or someone specially appointed by
22 the court.
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1 II.

2 AUTHORIZATION FOR SERVICE BY U.S. MARSHAL

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4 Rules of Civil Procedure for the United States District Courts, Title I. Scope of Rules;
5 Form of Action, Rule 4. Summons § (C)(3) states:

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7 *By a Marshal or Someone Specially Appointed. At the plaintiff's request, the court*
8 *may order that service be made by a United States marshal or deputy marshal or by a*
9 *person specially appointed by the court. The court must so order if the plaintiff is*
10 *authorized to proceed in forma pauperis under 28 U.S.C. § 1915 or as a seaman under*
11 *28 U.S.C. § 1916.*

12
13 Plaintiff is authorized to proceed in forma pauperis as ordered by Judge Steven P
14 Logan on 4/3/23.

15
16 III.

17 CONCLUSION

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19 For all of the foregoing reasons, it is respectfully requested that the Court issue an
20 order for the service of summons to Schneider Electric SE by a United States marshal or
21 deputy marshal or by a person specially appointed by the court.

22
23 Respectfully submitted,

24 Dated 05/15/23

25 By: Stanislav Arbit

26 Plaintiff

27 /Stanislav Arbit/
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