

)	
ROBERT STEINBUCH,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-970 (PLF/JMF)
)	
JESSICA CUTLER and)	
ANA MARIE COX,)	
)	
Defendants.)	
)	

It appears from a recent filing that plaintiff's counsel is having difficulty serving Ana Marie Cox; indeed, he accuses her of purposefully evading service. In the meanwhile, the plaintiff's deposition is scheduled for January 22, 2007, and defendant has moved for sanctions and a stay of plaintiff's discovery. I have also ordered plaintiff to respond to defendant's discovery but plaintiff has now indicated a reluctance to obey that order until the court rules on the defendant's motion. Finally, all discovery in this case is supposed to end by January 29, 2007.

I persist in the view that it is wasteful to take plaintiff's deposition twice. Additionally, while personal service on Ms. Cox is apparently proving to be difficult, service by mail is an available option under Rule 4(e)(1) of the Federal Rules of Civil Procedure and Rule 4(c)(4) of the Rules of the Superior Court. Accordingly, we shall proceed as follows:

IT IS ORDERED THAT plaintiff's counsel shall effectuate service forthwith on Ms. Cox by mail and report to the court the result after the 20 days within which she must return the Notice and Acknowledgement of Service have elapsed. In the meanwhile,

IT IS FURTHER ORDERED THAT all proceedings whatsoever, including all obligations to respond to the court's order or to filings submitted by opposing counsel, are stayed for 30 days and

IT IS FURTHER ORDERED that the discovery deadline of January 29, 2007, is suspended *pendente lite*.

SO ORDERED.

JOHN M. FACCIOLA
UNITED STATES MAGISTRATE JUDGE

Dated: