

Wednesday, May 1, 2019! (class 24 of 30!)

Today: Service of papers continued! *Including:*

- Personal service!
- Proof of service!

Now: Open CPLR to R. 2103 and read (b) & (c). Upon whom can papers be served?

For next class (Mon. May 6!):

- QUIZ! Chs. 9, 10, 11, 12, 14. Bring CPLR!!
- Read ch. 6 (Statutes of Limitations) and CPLR §§ 201 & 203(a)-(c).

Wed. May 8: Final summons & verified complaint due!!

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CPLR R. 2103: Service of Papers!!

(a) **Who can serve:**

- (1) not a party
- (2) 18+

(b) & (c) → **Who can be served, & how:**

(b) **If party has an attorney, shall serve attorney!** *Options:*

1. Deliver personally
2. Mail
3. Leave at attorney's office
 - *if open, with "person in charge" or in "conspicuous place"*
 - *if closed, in "letter drop"*
4. Leave at attorney's residence
 - *only if can't leave at office*
 - *with "person of suitable age & discretion"*
5. Fax (plus mail)
6. Overnight delivery (FedEx)
7. Email

(c) **If party has no attorney, shall serve party** (her/himself).

- By 1, 2, 4, 5 or 6 above (under b)
- NOT 3 (leave at office) or 7 (email).

CPLR § 308: Personal Service Upon a Natural Person

1. Personal delivery *by hand, to the person*
2. "Leave & mail" = (1) *leave at job/home AND* (2) *mail*
3. Personal delivery *by hand, to the person's agent*
4. "Affix & mail" = (1) *affix to door of job/home AND* (2) *mail*
 - *f/k/a/ "nail & mail"*
5. As court directs *when all else fails*