

The Clerk shall verify the current work addresses for Officers Mihalick and Emmelmann with the Department of Correction Office of Legal Affairs and mail a waiver of service of process request packet to each such defendant at the confirmed address within twenty-one (21) days from the date of this Order. The Clerk shall report on the status of the waiver request on the thirty-fifth

(35) day after mailing. If either defendant Mihalick or Emmelmann fails to return a signed waiver, the Clerk shall make arrangements for in-person service by the United States Marshal Service on that defendant in his or her individual capacity; and the defendant shall be required to pay the costs of service in accordance with Federal Rule 4(d)(2) of Civil Procedure.¹

It is SO ORDERED.

Dated: New Haven, Connecticut
February 17, 2016

/s/Charles S. Haight, Jr.
CHARLES S. HAIGHT, JR.
Senior United States District Judge

¹ Rule 4(d)(2) provides:

(2) Failure to Waive [Service]. If a defendant located within the United States fails, without good cause, to sign and return a waiver requested by a plaintiff located within the United States, the court must impose on the defendant:

(A) the expenses later incurred in making service; and

(B) the reasonable expenses, including attorney's fees, of any motion required to collect those service expenses.

Fed. R. Civ. P. 4(d) (A)-(B).