

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CYWEE GROUP LTD.,

Plaintiff,

v.

HTC CORPORATION, and HTC AMERICA,
INC.,

Defendants.

HTC CORPORATION, and HTC AMERICA,
INC.,

Third-Party Plaintiffs,

v.

STMicroelectronics N.V., STMicroelectronics,
Inc., and CyWee Motion Group Ltd.,

Third-Party Defendants.

CASE NO.: 2:17-cv-00932-JLR

**DECLARATION OF CELESTE
INGALLS REGARDING SERVICE
OF PROCESS IN THE
NETHERLANDS IN SUPPORT OF
DEFENDANTS' MOTION TO
AMEND SCHEDULING ORDER**

1 I declare that I, Celeste Ingalls, specialize in the service of civil process in foreign
2 countries, am a resident of Oregon, citizen of the United States, over the age of twenty-one, not a
3 party nor an attorney for any party in this action, and declare the following:

4 1. I am Director of Operations for Crowe Foreign Services; and

5 2. On March 20, 2018, I was instructed by members of TransPerfect Legal Solutions
6 to initiate the proper procedures to properly and formally effect service of process in the
7 Netherlands upon STMicroelectronics N.V.; and

8 3. The United States and the Netherlands are signatory to the Convention on the
9 Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Done
10 at the Hague, November 15, 1965, (Hague Service Convention); and

11 4. I have successfully, on a frequent and regular basis for more than 22 years,
12 prepared, signed, and forwarded requests for service of process in accordance the Hague Service
13 Convention in the Netherlands from various United States Federal and State Courts, as well as
14 from courts in Canada and other territories; and

15 5. I have lectured to state/county bar and other professional associations on the
16 mechanics and requirements of process service in foreign countries; and

17 6. Since 2003 I have attended, at special invitation as a private expert, all Special
18 Administrative Sessions of the Hague Conference in The Hague, Netherlands, at which each
19 signatory country was represented by their respective Judicial Authorities to discuss the practical
20 mechanics of, and problems encountered in dealing with, the Hague Service Convention and the
21 Hague Evidence Convention as they apply to each country's laws and interpretations of the
22 Convention and its obligations; and

23 7. I have participated (at invitation) with the Hague Administration in a "training"
24 session, presided over by the Hague Administration, to provide guidance to a foreign Central
25 Authority and its courts on their practical obligations with respect to service under the provisions
26 of the Hague Service Convention. At this session, it was agreed by the Hague Administration
27 that although it may contradict the spirit of the Hague Service Convention, each signatory

1 country has the discretion to interpret the Convention articles in a way that conforms to its
2 internal law; and

3 8. In accordance with Rule 4(h)(2) of the Federal Rules of Civil Procedure, service
4 upon a corporation..... in a place not within any judicial district of the United States shall be by
5 any manner prescribed for individuals by subdivision (f) --except personal delivery as provided
6 in paragraph (2)(C)(i) thereof. In accordance with Rule 4(f)(1) service outside the United States
7 shall be subject to the provisions of the Hague Service Convention; and

8 9. The government of the Netherlands designated De Officier van Justitie as the
9 judicial agency authorized (Central Authority) to receive and effect the service of judicial
10 documents in the Netherlands in accordance with the Hague Service Convention; and

11 10. Translation of the documents to be served in the Netherlands is recommended to
12 avoid delays; and

13 11. The requisite Hague documents are currently in production and estimated
14 completion is Friday, March 30, 2018, at which time the documents in this matter will be
15 forwarded to the Central Authority for the Netherlands for service upon STMicroelectronics
16 N.V. in accordance with the Hague Service Convention; and

17 12. It has been my experience that the average turnaround time for service in the
18 Netherlands in accordance with the Hague Service Convention is three to four months, but has
19 occasionally exceeded six months.

20
21 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true
22 and correct. Executed March 29, 2018, at Portland, Oregon.

23 

24 _____
Celeste Ingalls