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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANTHONY MITCHELL, Plaintiff, v. **EMORY ANDREW TATE III, et al.**, Defendants.	Case No. 2:26-cv-00720-RFB-BNW **PLAINTIFF'S MOTION FOR ORDER AUTHORIZING ALTERNATIVE SERVICE OF PROCESS ON DEFENDANT EMORY ANDREW TATE III PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 4(f)(3)**

I. INTRODUCTION

Plaintiff Anthony Mitchell moves this Court, pursuant to Federal Rule of Civil Procedure 4(f)(3), to authorize service of process on Defendant Emory Andrew Tate III by four means: (1) service on Defendant's active U.S. counsel in pending federal proceedings in the Northern District of California (Case No. 3:26-cv-00901-JSC); (2) direct message via Defendant's verified @Cobratate account on X (Twitter); (3) contact forms on therealworld.org and fundraiser.com; and (4) FedEx air mail to Defendant's publicly reported address identified through open-source research and cross-referenced with publicly available materials as supplementary notice only.

A professional investigation confirmed no reliable current United States residential address identifiable for service for Defendant Tate, and Defendant's own counsel filed a civil

cover sheet in separate federal proceedings listing his county of residence as "U.A.E./Romania." Defendant has, however, retained two U.S.-based attorneys who currently represent Defendant Tate in separate active federal litigation and who have personally received and opened an email containing the complaint in this action, as confirmed by a third-party email delivery and tracking certificate. Each proposed service method is not prohibited by any applicable international agreement and comports with constitutional due process under *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

Rule 4(f)(3) is "not a method of last resort or extraordinary relief" but "an equal alternative" to the other methods in Rule 4(f). *Rio Properties, Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1015 (9th Cir. 2002). No exhaustion of other Rule 4(f) methods is required. *Id.* at 1016. The proposed methods comport with constitutional due process under *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950), and none is prohibited by any applicable international agreement. To the extent reflected in publicly available Hague declarations, Romania has not objected to service via counsel or electronic means; its declarations are limited to objection to postal channels under Article 10(a). All conditions for relief are satisfied here.

II. FACTUAL BACKGROUND

A. Procedural History and Service Deadline

Plaintiff filed this action on March 23, 2026. The complaint was entered by the Court on March 25, 2026 (ECF No. 5). The ninety-day service deadline under Federal Rule of Civil Procedure 4(m) expires on June 21, 2026. As set forth in Section III.D below, however, Rule 4(m)'s ninety-day limit expressly does not apply to service on individuals abroad under Rule 4(f). Co-defendant Thrifty Consulting LLC was served on April 15, 2026, through its registered agent, Cogency Global Inc., Dover, Delaware. Defendant Emory Andrew Tate III

has not been served.

B. Professional Investigation Confirms No Reliable Current U.S. Residential Address Identifiable for Service

On or about February 2026, Plaintiff retained Verite Investigations LLC, a licensed private investigative firm, to conduct a comprehensive search for any United States residential address for Defendant Tate. Rachelle Dabrowski, a Michigan-licensed private investigator (License No. 3701300326), conducted the investigation and produced a notarized Affidavit of Due Diligence and Non-Locate Investigation dated March 7, 2026, sworn before Notary Trishia Otto, Commission No. HH345623, in Brevard County, Florida (the "Verite Affidavit," attached hereto as **Exhibit A**).

Ms. Dabrowski's investigation was thorough and professional. She searched a minimum of two commercially available investigative databases — the same professional-grade resources used by law enforcement and litigation investigators nationwide, including platforms aggregating address history, property records, DMV records, voter registration, utility records, bankruptcy indices, and court records. She conducted fifteen separate queries and cross-referenced thirty-six individual records. She reviewed Defendant Tate's verified X (Twitter) account (@Cobratate), business platform therealworld.org, and fundraiser.com. She reviewed WHOIS domain registration records. After this exhaustive investigation, based on records-based and open-source investigation, Ms. Dabrowski found no reliable current United States residential address identifiable for service for Emory Andrew Tate III. The investigation was limited to U.S.-based address identification.

C. Defendant's Counsel's Representation of Foreign Residency in a Filed Document

On August 22, 2025, Defendant Emory Andrew Tate III, through counsel, filed a civil cover sheet in the action that would become *Tate v. Meta Platforms, Inc.*, Case No. 3:26-cv-00901-JSC (N.D. Cal.) (the "Meta Litigation"), after the case was transferred to the Northern District of California in January 2026. On that civil cover sheet, in the field designated for "County of Residence," Tate's own counsel listed "U.A.E./Romania." This constitutes a representation by counsel in a filed document that Defendant Tate resides outside the United States. A copy of the civil cover sheet is attached hereto as **Exhibit B**.

Furthermore, Tate has been detained in Romania, has appeared before Romanian courts, and has given numerous public interviews in which he references Romania as his home. Plaintiff has identified a publicly reported physical address for Defendant in Romania: Strada Drumul Bisericii 50A, 077190 Voluntari, Romania.

D. Impracticability and Undue Burden of Hague Convention Channels

Romania is a signatory to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 ("Hague Service Convention"). Romania has designated a Central Authority pursuant to Article 2. However, service through Romania's Central Authority is impracticable or unduly burdensome under the circumstances for several independent reasons:

(a) Romania's Central Authority service may result in significant delay under the circumstances, a delay that would cause substantial prejudice in this matter;

(b) Romania has filed a formal objection to Article 10(a) postal channels, rendering direct mail or commercial courier service (including FedEx) non-compliant as a primary service mechanism under the Convention, *see* Romania's Hague Convention declaration on file with the Hague Conference on Private International Law

(hcch.net); and

(c) Defendant has structured his international presence specifically to make himself difficult to locate and serve, as confirmed by the Verite investigation's inability to identify any domestic address indicator.

Under these circumstances, requiring Plaintiff to await Central Authority service would cause undue delay and prejudice, rendering Convention channels impracticable or unduly burdensome under the circumstances. *See Rio Properties, Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1016 (9th Cir. 2002) (impracticability does not require attempting all Convention methods when circumstances render them ineffective); *Sulzer Mixpac AG v. A&N Trading Co.*, 988 F. Supp. 2d 395, 399 (S.D.N.Y. 2013) (twelve-to-eighteen month delay through Central Authority justified Rule 4(f)(3) order).

E. Defendant Tate Has Active U.S. Counsel in Pending Federal Proceedings

As the Meta Litigation demonstrates, Defendant Tate is not without United States legal representation. The official PACER Attorney List for that case, attached hereto as part of **Exhibit C**, confirms the following counsel of record for Emory Andrew Tate III as of April 20, 2026:

Raymond E. Brenneman, Esq. (LEAD ATTORNEY), Brenneman APC, 1901 Avenue of the Stars, Suite 200, Los Angeles, California 90067; raymond@brennemanlegal.com; (310) 870-8088. Assigned August 28, 2025. Attorney to Be Noticed.

Thomas A. Maniotis, Esq. (Pro Hac Vice), Equity Legal PLLC, 5201 Blue Lagoon Drive, 8th Floor, Miami, Florida 33126; tamaniotis@equitylegal.net; (305) 629-3219. Assigned September 1, 2025. Attorney to Be Noticed.

The complete PACER docket for the Meta Litigation, attached hereto as **Exhibit C**, reflects 47 entries from August 22, 2025 through March 20, 2026. Notably, Tate's counsel filed an Opposition to Meta's Motion to Dismiss (Dkt. 46) on March 13, 2026 — fifteen days before Plaintiff transmitted the Rule 4(d) waiver request in this action. The docket also reflects that Meta Platforms, Inc. executed a Waiver of Service in that case (Dkt. 17, Oct. 2, 2025), demonstrating that both Maniotis and Brenneman are familiar with and have successfully employed the waiver-of-service process. These attorneys are in an active, ongoing attorney-client relationship with Tate in active federal proceedings, evidencing an active and ongoing attorney-client relationship.

Moreover, on March 28, 2026, Plaintiff directly contacted both counsel by email, transmitting the filed complaint (ECF No. 5) and formal Rule 4(d) waiver-of-service requests for all named defendants. A Mailsuite Email Delivery Certificate (attached as **Exhibit E** hereto) confirms that both attorneys personally received and opened the email within minutes of transmission: Mr. Maniotis at 9:36 PM and Mr. Brenneman at 9:37 PM on March 28, 2026. Both reopened the email on April 15, 2026. As a matter of documented, third-party-certified fact, both counsel have personally received and opened an email containing the complaint in this action.

F. Defendant's Counsel Declined to Accept Service

On March 28, 2026, Plaintiff transmitted formal waiver of service requests on AO Forms 398 and 399 to both Thomas A. Maniotis and Raymond E. Brenneman by email, attaching the filed complaint (ECF No. 5) and all required forms for each named defendant. The Mailsuite Email Delivery Certificate (Exhibit E hereto) confirms delivery at 9:35 PM that evening; Mr. Maniotis opened the email at 9:36 PM, Mr. Brenneman at 9:37 PM. Significantly, both attorneys reopened the email simultaneously on the evening of April 15,

2026 — the same date on which co-defendant Thrifty Consulting LLC was served with process in this action through its registered agent in Dover, Delaware. Defendant Emory Andrew Tate III is the Chief Executive Officer of Thrifty Consulting LLC. The temporal correlation between service on a company owned and operated by Defendant Tate and the concurrent review of the complaint by his personal attorneys supports a reasonable inference that Defendant was informed of that service and communicated with his counsel regarding this litigation.

On March 30, 2026, at 4:26 AM, Raymond E. Brenneman, Esq. responded by email. The complete text of Mr. Brenneman's response, exclusive of signature block, is as follows: "Mr. Mitchell, My firm does not represent the entity defendants and is unable to accept service on behalf of any of the named defendants. Best Regards, Raymond Brenneman, Esq., Brenneman APC." A screenshot of the full email, including header, recipient fields, and timestamp, is attached hereto as **Exhibit F**. Thomas A. Maniotis, Esq. made no separate response. No executed waiver of service has been returned by either attorney. The 30-day waiver period under Rule 4(d)(2) expires April 27, 2026. This Motion is filed before that date to ensure the Court has adequate time to rule prior to the Rule 4(m) service deadline of June 21, 2026. If an executed waiver is returned before the Court rules, Plaintiff will promptly notify the Court and this Motion will be moot as to that defendant. Absent any executed waiver, this Court's authorization of alternative service is necessary.

G. Defendant's Verified @Cobratate Account on X (Twitter) Is Actively Maintained and Used

Defendant Tate maintains a verified account on X (Twitter) under the handle @Cobratate. The @Cobratate account on X (Twitter) is publicly held out as Defendant's official account, has been used consistently in Defendant's public-facing communications,

and bears a verified checkmark on the platform. Two items of documentary evidence confirm that the account is actively maintained and used in a manner consistent with personal or authorized operation, and that its direct message function is monitored. First, Exhibit D includes a screenshot of an active direct message conversation with the @Cobratate account, initiated by the @Cobratate account on January 30, 2025, confirming the direct message function of that account is actively monitored. Second, on April 16, 2026 — four days before the filing of this Motion — the @Cobratate account published the following post at x.com/Cobratate/status/2044869638291390902 (275,400 views): "You play GTA. Whether I'm in Tashkent Dubai Miami or Almaty. The deals the missions the money the girls the cars the police. I live GTA." This first-person, present-tense post confirms the account is actively maintained and used in a manner consistent with personal or authorized operation as of the date of this filing. A screenshot of that post is included in Exhibit D hereto.

H. Defendant Is a Named Plaintiff in Active U.S. Federal Proceedings

Defendant Tate is currently a named plaintiff in active federal litigation in the United States District Court for the Northern District of California, Case No. 3:26-cv-00901-JSC, represented by the same U.S. counsel identified in Section II.E above. Although Defendant Tate appears as a plaintiff in that proceeding, he is represented therein by the same U.S. counsel identified above, demonstrating active attorney-client communication in pending federal litigation. His active engagement with the U.S. federal judicial system as a plaintiff — filing pleadings and advancing claims through U.S.-licensed attorneys — reinforces the inference that service through those same counsel is reasonably calculated to provide Defendant with actual notice. Those attorneys are currently engaged in active litigation on Defendant's behalf, are in regular communication with him, and have the means to promptly transmit service documents to him. The Meta Litigation docket (Exhibit C) reflects 47 entries spanning August 2025 through March 20, 2026, with substantive briefing by Tate's counsel

as recently as March 13, 2026.

I. Defendant's Commercial Websites Are Operated by Co-Defendants Under His Control

Defendant Tate operates or controls two commercial websites through which service documents may be transmitted. First, therealworld.org is an online educational subscription platform offering courses in business, e-commerce, copywriting, and related topics. The website's own disclosures identify the platform as "Owned and Managed by New Era Learning LLC" and distributed by Thrifty Consulting LLC (Dover, Delaware) and Legendary Courses, Inc. (Middletown, Delaware). All three entities — New Era Learning LLC, Thrifty Consulting LLC, and Legendary Courses, Inc. — are named defendants in this action, and Defendant Tate is the Chief Executive Officer of Thrifty Consulting LLC. Plaintiff may transmit service documents to the platform's designated support email at support@jointherealworld.com. Any communication received by therealworld.org is received directly by entities under Defendant Tate's ownership and control.

Second, fundraiser.com is a venture-capital funding platform whose navigation includes a direct hyperlink to cobratate.com — Defendant Tate's personal website. The site's body content includes a section titled "EXCLUSIVE FUNDING & KNOWLEDGE" containing the statement "Apply for investment from Andrew Tate & The War Room," advertising a "$50M dollar fund" allocating $20,000 to $1,000,000 per project. The site's contact link directs users to cobratate.com/contact, routing all contact inquiries through Defendant Tate's personal website. The platform's navigation link to cobratate.com and its routing of contact to cobratate.com/contact are consistent with operation by or on behalf of Defendant Tate, and confirm that communications submitted through that channel will reach him or his agents.

III. LEGAL STANDARD

A. FRCP 4(f)(3): Court-Ordered Alternative Service

Federal Rule of Civil Procedure 4(f)(3) authorizes service on an individual in a foreign country "by other means not prohibited by international agreement, as the court orders." Fed. R. Civ. P. 4(f)(3). The Ninth Circuit has held unambiguously that Rule 4(f)(3) is "not a method of last resort or extraordinary relief" but "an equal alternative" to the other methods in Rule 4(f). *Rio Properties, Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1015 (9th Cir. 2002). No exhaustion of other Rule 4(f) methods is required before seeking court authorization. *Id.* at 1016.

To obtain court authorization, a plaintiff must demonstrate: (1) the proposed method is not prohibited by any applicable international agreement; and (2) the proposed method comports with constitutional due process. *Id.* A court has "sound discretion" to authorize alternative service once these two requirements are satisfied. *Id.*; *Brockmeyer v. May*, 383 F.3d 798, 806 (9th Cir. 2004).

B. Constitutional Standard: Reasonably Calculated to Provide Notice

Due process requires that service be "reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). Mullane does not require certainty of actual notice — it requires reasonable probability under the specific circumstances of each case.

C. Romania's Hague Convention Participation Does Not Bar Rule 4(f)(3) Service

The Hague Service Convention, by its own terms, applies only "where there is occasion to transmit a judicial or extrajudicial document for service abroad." *Volkswagenwerk Aktiengesellschaft v. Schlunk*, 486 U.S. 694, 699 (1988) (quoting Hague Service Convention, art. 1). Where service can be effectuated domestically — as in service on U.S. counsel — the Convention is not triggered at all. *Id.* at 707. Even where international transmission occurs, Rule 4(f)(3) remains available as long as the proposed method is not affirmatively prohibited by the Convention. *Water Splash, Inc. v. Menon*, 581 U.S. 271, 278–79 (2017) (the Convention's permissive framework authorizes, but does not mandate, particular service methods; silence is not prohibition). The Convention does not address electronic or social media service, and its silence on those methods cannot bar them. *Rio Properties*, 284 F.3d at 1016–17.

D. Rule 4(m)'s 90-Day Deadline Does Not Apply to Rule 4(f) Foreign Service

Federal Rule of Civil Procedure 4(m) imposes a ninety-day deadline for service of process, but it expressly excludes service in a foreign country under Rule 4(f). The Rule provides: "This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or Rule 4(j)(1)." Fed. R. Civ. P. 4(m). Because Defendant Tate is located in Romania, a foreign country, the ninety-day deadline has no application to service on him, and there is no risk of Rule 4(m) dismissal even if authorization and effectuation of alternative service requires additional time. *See Lemoge v. United States*, 587 F.3d 1188, 1198 (9th Cir. 2009); *Efaw v. Williams*, 473 F.3d 1038, 1041 (9th Cir. 2007). In the alternative, to the extent the Court concludes that Rule 4(m) applies, Plaintiff respectfully requests a sixty-day extension of the service deadline upon good cause shown based on the international complexities of locating and serving a defendant residing abroad and the good-faith investigative efforts documented herein.

IV. ARGUMENT

A. Plaintiff Has Established Good Cause and Diligence

Although Rule 4(f)(3) does not require exhaustion of other methods, good cause supports granting this motion. *Rio Properties*, 284 F.3d at 1016. Good cause exists here for several independent reasons. First, Plaintiff retained a licensed private investigative firm that employed professional-grade databases and conducted fifteen cross-referenced queries, finding no U.S. address for Defendant. Second, Defendant's own counsel filed a civil cover sheet in a separate federal proceeding listing his county of residence as "U.A.E./Romania," constituting a representation by counsel in a filed document of foreign residency. Third, Romania's Hague Central Authority may result in significant delay under the circumstances — a delay that would cause substantial prejudice given the June 21, 2026 service deadline. Fourth, based on records-based and open-source investigation, Defendant maintains no reliable current United States residential address identifiable for service while retaining U.S. counsel actively litigating on his behalf in U.S. federal court. Fifth, Plaintiff transmitted formal Rule 4(d) waiver-of-service requests to Defendant's known U.S. counsel on March 28, 2026, which were confirmed received by both attorneys as documented by the Mailsuite Email Delivery Certificate (Exhibit E); Mr. Brenneman responded on March 30, 2026 declining to accept service on behalf of any named defendant, and no executed waiver has been returned.

B. Service on Tate's Active U.S. Counsel Is Appropriate and Sufficient

The most constitutionally secure proposed method is service upon Raymond E. Brenneman, Esq. (Lead Attorney) and Thomas A. Maniotis, Esq. (Pro Hac Vice), Defendant Tate's attorneys of record in the Meta Litigation. Their status as counsel of record is confirmed by the official PACER Attorney List, attached hereto as part of Exhibit C, which reflects both attorneys as "Attorney to Be Noticed" for Emory Andrew Tate III as of April 20,

2026. Both filed substantive pleadings on Tate's behalf as recently as March 13, 2026, are in direct, ongoing communication with Defendant, and service upon them is reasonably calculated to provide Defendant with notice, given their ongoing attorney-client relationship and demonstrated engagement with this litigation.

Plaintiff acknowledges that neither Mr. Maniotis nor Mr. Brenneman has entered an appearance in this action. Their non-appearance does not preclude court-authorized service through them under Rule 4(f)(3). Courts exercising Rule 4(f)(3) discretion have approved service on counsel with no appearance in the pending case when the attorney maintains an active, ongoing representation of the defendant in other pending federal proceedings. *See Gurung v. Malhotra*, 279 F.R.D. 215, 219 (S.D.N.Y. 2011) (service on defendant's U.S. attorney authorized where counsel maintained ongoing contact with the defendant; service was "reasonably calculated to apprise Defendant of the pendency of this action"). The key inquiry is not whether counsel has agreed to accept service, but whether there is sufficient nexus between counsel and defendant to make service reasonably calculated to provide notice. That nexus is present here: both attorneys have filed documents on Tate's behalf within weeks of this motion. To address any residual due-process concern, Plaintiff requests that this Court's order require counsel to forward all service documents to Defendant within seven (7) days of receipt and file a notice of forwarding confirming transmittal.

Courts applying Rule 4(f)(3) have repeatedly authorized service on domestic counsel where the attorney has an active relationship with the foreign defendant. As additional persuasive authority, *see Prediction Co. LLC v. Rajgarhia*, 2010 WL 1050307, at *2 (S.D.N.Y. 2010) (unpublished) (service on defendant's domestic attorney where defendant resided abroad). Crucially, because service on Maniotis and Brenneman would be effected within the United States, no transmission of documents abroad is required. *Volkswagenwerk*, 486 U.S. at 707. The Hague Convention is not triggered because service is completed

domestically without transmission of documents abroad. *See Volkswagenwerk AG v. Schlunk*, 486 U.S. 694, 707 (1988). This method is domestically effectuated, constitutionally sound, and practically the most reliable available.

The Mailsuite Email Delivery Certificate (Exhibit E) confirms that both Mr. Maniotis and Mr. Brenneman have already personally received and opened an email from Plaintiff containing the filed complaint — documented within two minutes of transmission on March 28, 2026, and again on April 15, 2026 — the same date co-defendant Thrifty Consulting LLC was served with process in this action. Defendant Emory Andrew Tate III is the Chief Executive Officer of Thrifty Consulting LLC. The concurrent review of the complaint by both of Tate's personal attorneys on the same evening his own company was served supports a reasonable inference that Defendant was informed of that service and that information flowed to his counsel — further demonstrating that service upon those attorneys is reasonably calculated to provide Defendant with notice, given their ongoing attorney-client relationship and demonstrated engagement with this litigation. The *Mullane* due-process standard asks whether the proposed method is reasonably calculated to apprise the defendant of the pending action. That standard is satisfied here as a matter of established fact: Defendant's own attorneys have already reviewed the complaint on multiple occasions and are demonstrably engaged with the progress of this case. Service through those attorneys provides Defendant a constitutionally adequate opportunity to respond through counsel who are already monitoring this litigation.

Mr. Brenneman's March 30, 2026 declination to accept service on behalf of any named defendant does not diminish the propriety of court-ordered service through counsel. Service authorized under Rule 4(f)(3) is not a request for counsel's consent — it is a court-ordered method that counsel is legally obligated to comply with upon entry of the order. Courts exercising Rule 4(f)(3) discretion routinely authorize service through counsel over

objection. Moreover, while Mr. Brenneman's complete response states "My firm does not represent the entity defendants and is unable to accept service on behalf of any of the named defendants" (Exhibit F), the first clause — that his firm does not represent the entity defendants — accurately describes his non-representation of New Era Investments LLC, Thrifty Consulting LLC, and Legendary Entertainment LLC. However, the PACER attorney list for *Tate v. Meta Platforms, Inc.*, Case No. 3:26-cv-00901-JSC (N.D. Cal.), filed with this Court as Exhibit C, confirms that Mr. Brenneman is the **Lead Attorney** for Defendant *Emory Andrew Tate III personally* as of August 28, 2025. His having declined to accept service on behalf of any named defendant does not alter his status as counsel of record for Tate, and court-ordered service upon him satisfies Rule 4(f)(3) and the constitutional standard of *Mullane*.

C. Service via Defendant's Verified @Cobratate Account on X (Twitter) Is Appropriate

Social media service is well-established under Rule 4(f)(3) where the movant demonstrates the defendant personally operates and monitors the account. *St. Francis Assisi v. Kuwait Finance House*, No. 3:16-cv-03240-LB, 2016 WL 5725002, at *2–3 (N.D. Cal. Sept. 16, 2016) (authorizing Twitter service; approving social media service as comporting with due process where account reflects personal use); *FTC v. PCCare247 Inc.*, No. 12-Civ-7189, 2013 WL 841037, at *4 (S.D.N.Y. Mar. 7, 2013) (authorizing Facebook service).

Courts that have denied social media service did so because the movant offered no evidence the defendant personally monitored the account. *See St. Francis Assisi*, 2016 WL 5725002, at *2 (distinguishing accounts with no personal-use evidence). That gap does not exist here. The @Cobratate account on X (Twitter) is verified, currently active, and actively

maintained and used in a manner consistent with personal or authorized operation. On April 16, 2026, the account published a first-person post garnering 275,400 views, confirming active personal use four days before the filing of this Motion. Exhibit D also confirms the account's direct message function is monitored: initiated by the @Cobratate account on January 30, 2025, confirming the direct message function of that account is actively monitored. A defendant who personally publishes content and uses the DM function of an account cannot credibly contend that a direct message to that account will go unreviewed.

Social media service does not involve physical transmittal of documents to Romania and is not addressed or prohibited by the Hague Service Convention. The Convention's silence on digital methods means they cannot be prohibited by it. *Rio Properties*, 284 F.3d at 1016–17.

D. Service via Defendant's Commercial Website Contact Channels Is Appropriate

The factual record establishes a direct ownership and control nexus between Defendant Tate and both commercial websites identified in Section II.I above. therealworld.org is owned and managed by co-defendant New Era Learning LLC and distributed by co-defendants Thrifty Consulting LLC and Legendary Courses, Inc. — entities of which Defendant Tate is the controlling principal. Any service documents transmitted to support@jointherealworld.com will be received by organizations directly controlled by Defendant Tate. fundraiser.com's navigation contains a direct hyperlink to cobratate.com, and the site's contact link routes to cobratate.com/contact — Defendant Tate's personal website — confirming that contact submitted through fundraiser.com is routed directly to Defendant Tate or his agents.

Courts treat electronic contact channels as constitutionally adequate service under Rule 4(f)(3) where the defendant operates primarily online and the channel is reasonably calculated to result in actual receipt. *Rio Properties, Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1017–18 (9th Cir. 2002). Here, the nexus is not merely "public attribution" — it is direct corporate ownership: the same LLC entities named as defendants in this action own and operate therealworld.org. Service through those channels does not involve international document transmittal and is not prohibited by any international agreement.

E. FedEx Air Mail to Defendant's Known Romanian Address as Supplementary Service

Plaintiff does not rely on FedEx delivery to Romania as a primary method of service or as a channel governed by the Hague Convention. Romania has objected to Article 10(a) postal channels, and Plaintiff respects that objection. Rather, Plaintiff proposes that a copy of the summons and complaint be transmitted to Defendant's publicly reported address identified through open-source research and cross-referenced with publicly available materials — Strada Drumul Bisericii 50A, 077190 Voluntari, Romania — via FedEx international courier as a supplementary method to ensure Defendant has physical receipt of the documents in addition to the court-authorized primary methods. Service is completed upon delivery to U.S. counsel or transmission through the court-authorized electronic channels; the FedEx transmittal provides additional, redundant assurance of actual notice. Courts have approved physical courier delivery as a component of a multi-method alternative service regime precisely because it reinforces rather than undermines the primary methods. *See FTC v. PCCare247 Inc.*, 2013 WL 841037, at *4 (approving multiple simultaneous service methods as cumulatively ensuring actual notice); *Rio Properties*, 284 F.3d at 1018 (approving email service to online defendant; court's broad discretion extends to crafting multi-channel methods appropriate to the defendant's circumstances).

V. CONCLUSION

Plaintiff Anthony Mitchell has taken every reasonable investigative and procedural step available before seeking this Court's authorization. He retained a licensed professional firm that conducted a comprehensive search and confirmed, based on records-based and open-source investigation, no reliable current United States residential address identifiable for service. He obtained and reviewed Tate's counsel's representation of foreign residency in a filed document. He transmitted formal Rule 4(d) waiver requests to Tate's active U.S. counsel; lead counsel responded declining to accept service on behalf of any defendant and no executed waiver was returned. He has identified four independent methods of service — each constitutionally adequate under *Mullane*, each not prohibited by any international agreement, and each sanctioned by precedent from the Ninth Circuit and courts nationwide. Taken together, service by four simultaneous, independent channels is more than reasonably calculated to provide Defendant with notice of this action.

There is no legal barrier to the relief requested. Rule 4(f)(3) vests this Court with precisely the discretionary authority needed. The Ninth Circuit has confirmed that no exhaustion of other methods is required. Rule 4(m)'s ninety-day deadline does not apply to foreign service under Rule 4(f). The Hague Convention presents no obstacle to three of the four methods, and the fourth is offered only as supplementary notice. Defendant Tate is a sophisticated individual with U.S. counsel, U.S. litigation activity, and a global platform who cannot credibly claim surprise or prejudice when served by four simultaneous, independent channels.

Plaintiff respectfully requests that this Court grant this Motion in its entirety and enter the Proposed Order filed concurrently herewith.

Dated: April 20, 2026

Respectfully submitted,

/s/ Anthony Mitchell
ANTHONY MITCHELL
Pro Se Plaintiff
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Email: RealAnthonyMitchell@gmail.com

CERTIFICATION OF COMPLIANCE WITH LR 7-3: This motion and memorandum of points and authorities does not exceed 30 pages, exclusive of the caption, signature block, and certificate of service, and therefore complies with LR 7-3(b).

CERTIFICATE OF SERVICE

I, Anthony Mitchell, hereby certify that on April 20, 2026, I electronically filed the foregoing Motion for Alternative Service Pursuant to Federal Rule of Civil Procedure 4(f)(3), together with all supporting papers, with the Clerk of the United States District Court for the District of Nevada through the Court's CM/ECF system. Electronic filing through CM/ECF constitutes service on all counsel of record who are registered CM/ECF participants.

As of the date of this filing, Defendant Emory Andrew Tate III has not been served with process and has not appeared through counsel in this action; accordingly, electronic service through CM/ECF is not available for him at this time. Co-defendant Thrifty Consulting LLC was served with the summons and complaint on April 15, 2026, but has not yet appeared

through counsel. Plaintiff will serve a copy of the foregoing upon each defendant upon their first appearance of record in the manner required by the Federal Rules of Civil Procedure and applicable orders of this Court.

/s/ Anthony Mitchell
Anthony Mitchell, Pro Se Plaintiff