

1 [Firm Name]
[Firm Address]
2 [Firm Phone Number]
[Firm Fax]
3 [Firm Email]
[Attorney Name and Bar Number]
4 Attorney for Plaintiff(s)

5 [State Trial Court System], [Location] County

6 **[Plaintiff Name(s)],**

7 Plaintiff(s),

8 v.

9 **[Defendant(s)],**

10 Defendant(s).

Case No.

**NOTICE OF LAWSUIT AND
REQUEST FOR WAIVER OF
SERVICE**

11 **THE STATE OF [State Name] TO:** [Name of individual Defendant (or name of officer
12 or agent of corporate defendant] as [Title, or other relationship of individual to corporate
13 defendant] of [Name of corporate defendant to be served, if any]
14

15
16 A lawsuit has been commenced against you (or the entity on whose behalf you are
17 addressed). A copy of the complaint is attached to this Notice. The complaint has been
18 filed in the Superior Court for the State of [State] in and for the County of [County] and
19 has been assigned case number [Case number of action].
20

21
22 This is not a formal summons or notification from the Court, but rather my request that
23 you sign and return the enclosed Waiver of Service in order to save the cost of serving
24 you with a judicial summons and an additional copy of the complaint. The cost of service
25 will be avoided if I receive a signed copy of the waiver within [Addressee must be given
26 at least [minimum number in accordance with local rule] days ([number of days in
27 accordance with local rule] days if located in foreign country) within which to return
28

1 waiver] days after the date designated below as the date on which this Notice of Lawsuit
2 and Request for Waiver of Service of Summons is sent. I enclose a stamped and addressed
3 envelope (or other means of cost-free return) for your use. An extra copy of the Waiver of
4 Service is also attached for your records.
5

6
7 If you comply with this request and return the signed Waiver of Service, the waiver will
8 be filed with the Court and no summons will be served on you. The action will then
9 proceed as if you had been served on the date the waiver is filed, and you will be required
10 to answer or otherwise respond to the complaint within [Number] (#) days from the date
11 designated below as the date on which this notice is sent (or within [Number] (#) days
12 from that date if your address is not in any judicial district of the United States).
13

14
15 If you do not return the signed waiver within the time indicated, I will take appropriate
16 steps to effect formal service in a manner authorized by the [State] Rules of Civil
17 Procedure and then, to the extent authorized by those Rules, I will ask the Court to require
18 you (or the party on whose behalf you are addressed) to pay the full costs of such service.
19

20 In that connection, please read the statement concerning the duty of parties to avoid
21 unnecessary costs of service of summons, which is set forth on the reverse side (or at the
22 foot) of the enclosed "Waiver of Service of Summons" form.
23

24
25 I affirm that this Notice of Lawsuit and Request for Waiver of Service of Summons is
26 being sent to you on behalf of the Plaintiff on the date indicated below.
27
28

1 Dated this [Day] of [Month], [Year].

2

3

By _____
[Attorney]
[Firm Name]
[Firm Address]
Attorney for Plaintiff

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28