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THE BOARD OF TRUSTEES OF THE
7 LELAND STANFORD JUNIOR UNIVERSITY

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 _____
12 THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
13 UNIVERSITY,

14 Plaintiff,

15 vs.

16 Chiang Fang Chi-yi, an Individual; Chiang
Yo-mei, an Individual; Chiang Hsiao-chang,
17 an Individual; Chiang Tsai Hui-mei, an
Individual; Chiang Yo-sung, an Individual;
18 Chiang Yo-lan, an Individual; Chiang Yo-bo,
an Individual; Chiang Yo-chang, an
19 Individual; Chiang Yo-ching, an Individual;
and Chungyan Chan, an Individual,

20 Defendants.
21 _____
22

Case No. CV 13-04383-EJD-HRL

**PLAINTIFF'S EX PARTE
APPLICATION REGARDING
SERVICE OF PROCESS**

Judge: Edward J. Davila

Time: TBD

Date: TBD

23 Plaintiff in the above-entitled U.S. District Court action, The Board of Trustees of
24 the Leland Stanford Junior University ("Stanford University"), by and through its
25 undersigned counsel, hereby applies, *ex parte*, for an order pursuant to Federal Rule of
26 Civil Procedure 4(f)(3), to permit substituted service via electronic mail. *See Bank Julius*
27 *Baer & Co. Ltd v. Wikileaks*, No. C 08-00824 JSW, 2008 WL 413737, at *1-2 (N.D. Cal.
28

1 Feb. 13, 2008) (this Court authorizing *ex parte* application for alternative service via
 2 email); *see also*, *Gucci America, Inc. v. Wang Huoqing*, No. C-09-05969 JCS, 2011 WL
 3 31191, at *2-3 (N.D. Cal. Jan. 3, 2011) (noting that this Court, on plaintiff's *ex parte*
 4 application, had previously ordered alternative service via email).

5 This Interpleader Action involves a deposit of over 50 boxes of historically unique
 6 documents, including the original diaries of two Presidents of the Republic of China
 7 ("Taiwan") – Chiang Kai-shek and Chiang Ching-kuo ("the Deposit") by
 8 defendant/claimant Chiang Fang Chi-yi. The named defendants (collectively,
 9 "Defendants") are some of the claimed descendants of these two former Presidents of
 10 Taiwan. Though Plaintiff has had numerous conversations with many of the Defendants,
 11 has had communications with counsel for most of the Defendants, and reasonably believes
 12 that all of the Defendants have knowledge of this action, Plaintiff does not have physical
 13 addresses for some of the Defendants and thus moves for relief to allow service of
 14 defendants Chiang Fang Chi-yi, Chiang Yo-bo, and Chiang Yo-sung via electronic mail.

15 In support of this application, Plaintiff attaches the Declaration of Eric Wakin,
 16 Director of Library & Archives at the Hoover Institution at Stanford University, and Mark
 17 D. Litvack, Esq., counsel for Plaintiff.

18 WHEREFORE, Plaintiff respectfully requests an order allowing Plaintiff to serve
 19 defendants Chiang Fang Chi-yi, Chiang Yo-bo, and Chiang Yo-sung via electronic mail.

20 Dated: January 8, 2014.

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27 By /s/ Mark D. Litvack
 28 Mark D. Litvack
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