

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

MICROSOFT CORPORATION,

Plaintiff,

v.

ARIAN YADEGARNIA, RICKY YUEN, and
PHAT PHUNG TAN.

Defendants.

Case No. 1:24-cv-2323

**STATUS UPDATE RE: HAGUE CONVENTION SERVICE ON DEFENDANTS YUEN
AND TẤN**

Three named defendants remain in this case. Defendant Arian Yadegarnia appears to reside in Iran and has been served with the First Amended Complaint and Summons through email and publication. Defendants Ricky Yuen and Phát Phùng Tấn are believed to reside in Hong Kong Special Administrative Region of the People's Republic of China and the Socialist Republic of Vietnam, respectively. Because both of these jurisdictions are signatories to the Hague Convention on International Service of Process, and because several courts have held that U.S. plaintiffs should first make reasonable efforts to effect formal service via the Hague Convention before asking a U.S. court for permission to effect alternative service, *e.g.*, *BP Prods. N. Am. v. Dagra*, 236 F.R.D. 270, 272 (E.D. Va. 2006); *Kinsley Tech. Co. v. Defendants*, No. 2:22-cv-04803-ODW (KSx), 2022 U.S. Dist. LEXIS 213170, at *11 (C.D. Cal. Oct. 19, 2022) (collecting cases), Microsoft endeavored to serve Messrs. Yuen and Tấn through the central authorities in their respective jurisdictions. However, Microsoft has been unable to obtain current address information for Messrs. Yuen and Tấn and has therefore been unable effect formal Hague Convention Service.

Hague Convention service is not required where, as here, a defendant's true address cannot be through reasonable diligence. *BP Prods.*, 236 F.R.D. at 272-73. Microsoft intends to file this week a motion for alternative service on Messrs. Yuen and Tân, each of whom Microsoft believes already has actual notice of this action because of Microsoft's prior efforts to communicate with them.

Dated: September 30, 2025

Respectfully submitted,

/s/ Sten Jensen

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