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Westchester Supreme Court Grants Yankwitt LLP's Motion for Leave to Serve Defendants Via Electronic Means

Using tenacious investigative skills and persuasive legal writing, Yankwitt LLP successfully moved a New York state court for leave to serve defendants via the alternative means of LinkedIn private messaging and email. Yankwitt LLP filed a complaint on behalf of its consultant client against two LLCs and their principal, asserting claims of breach of contract and *quantum meruit*. Yankwitt LLP undertook extensive efforts to serve the defendants, including hiring a private investigator to track down the individual defendant, attempting service on the LLCs' Delaware registered agents, and attempting service at the defendants' last known business address, but the defendants proved elusive. At the same time, Yankwitt LLP had substantial evidence that the individual defendant was active on LinkedIn and email and was operating his LLCs virtually. Accordingly, Yankwitt LLP moved the court for an *ex parte* order pursuant to CPLR 308(5) and 311(b) authorizing service via alternative, electronic means, supporting the motion with multiple affidavits and the evidence of defendants' online presence. The court granted Yankwitt LLP's motion, enabling the client to pursue its claims on the merits.

The case is H*udson Peak Group LLC v. BavelasGroup, LLC et al.*, Index No. 56842/2020 (N.Y., Westchester Cty.)

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