

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

DURASERV LLC,

Plaintiff,

v.

Case No. 2:24-CV-996-JLB-KCD

ACTION GARAGE DOOR REPAIR  
CORP.,

Defendant,

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**ORDER**

Plaintiff DuraServ LLC d/b/a Action Automatic Door & Gate seeks an order allowing alternative service on Defendant Action Garage Door Repair, Corp. (Doc. 11.) Specifically, Plaintiff requests “service via email, at info@actiongaragedoorsrepair.com, and through substituted service on the Florida Secretary of State.” (*Id.* at 1.)

Plaintiff’s motion is **DENIED AS MOOT**. Florida law (applicable here through Fed. R. Civ. P. (h)(1)(A) and (e)(1)) allows service on the Florida Secretary of State for corporations registered in Florida, like Defendant. *See* Fla. Stat. § 48.081; *Gov’t Emps. Ins. Co. v. Utter*, No. 6:23-CV-943-CEM-EJK, 2024 WL 1156544, at \*2 (M.D. Fla. Mar. 18, 2024). Thus, Plaintiff need not seek permission for the substituted service sought, and any such order would be an impermissible advisory opinion.

**ORDERED** in Fort Myers, Florida on November 27, 2024.

  
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Kyle C. Dudek  
United States Magistrate Judge