

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RESOUND STRUCTURED HOLDINGS, LLC;

Plaintiff.

v.

SMART CONTRACT SOLUTIONS, LTD
and VERLIN SANCIANGCO,

Defendants.

Civil Action File No.: 3:22-CV-1877-S

MOTION FOR SERVICE BY PUBLICATION

Comes Now Plaintiff, Resound Structured Holdings, LLC, by and through counsel, pursuant to Rule 4 of the Federal Rules of Civil Procedure and LR 4.1, and moves the Court for an order directing that service on the Defendants be made by publication upon the grounds that Defendants cannot, after due diligence, be found within the state, as more fully appears from the affidavit filed herewith and attached hereto as “Exhibit 1”.

On or about August 24, 2022, Plaintiff filed its Complaint (Doc. 1). On or about that same time, a Summons for Defendants was issued. On October 28, 2022, Plaintiff filed its Motion for Default Judgment (Doc. 9). This Court’s Order (Doc. 10) dated October 31, 2022, referred Plaintiff’s Motion for Default to Magistrate Judge Rebecca Rutherford. At this time no ruling on Plaintiff’s Motion for Default has been received. On February 21, 2023, Plaintiff’s Amended Complaint (Doc. 14) was filed to address this Court’s February 7, 2023, Order (Doc. 13). Since that time, Plaintiff has made diligent efforts to locate and perfect service on the Defendants.

Counsel has located a home registered to Defendant, Verlin Sanciango at 11240 Pioneer Ridge Road, Moreno Valley, California 92557. A private process server was unable to perfect

service of process at that location (Return of Service attached hereto as “Exhibit 2” (Doc. 8)). Subsequently, undersigned Counsel engaged in communications with the United States Attorneys’ Office regarding the matter of *United States of America vs. Verlin Sanciangco*, Case No. 8:21 CR 00185. Those communications revealed that the Defendant had failed to surrender himself for incarceration after being allowed to travel to Dubai, United Arab Emirates for work. At that time, Defendant’s social media posts made it appear that Mr. Sanciangco, was residing in Dubai, United Arab Emirates and made no indication of his intentions to return to the United States. Since then, Mr. Sanciangco’s social media presence appears to have been deleted or made private. Dubai is not a signatory to the Hague Convention and service of process is not reasonably possible in that country. It appears that Defendant is purposefully avoiding the reach of the United States Government following his criminal conviction which has subsequently made traditional service of process in this matter impossible.

WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff’s Motion for Service by Publication and for any other relief this Court deems just and proper.

This 12th day of July, 2023.

BARHAM & MAUCERE LLC

/s/ SCOTT RAYMOND MAUCERE

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Attorney for the Plaintiff

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PROPOSED ORDER FOR SERVICE BY PUBLICATION

Plaintiff having moved the Court for an order directing service to be made upon Defendants, Smart Contract Solutions, LTD and Verlin Sanciangco, in the above-styled action by publication of summons, and it appearing to the Court from the verified Complaint and Affidavit in support of such motion that Defendant is a nonresident or otherwise located and that the action is an action in which a Defendant may be served by publication, it is ORDERED, that service upon Defendants, Smart Contract Solutions, LTD and Verlin Sanciangso, be made by publication as provided by law.

SO ORDERED this _____ day of _____, 2023.

KAREN GREN SCHOLER
UNITED STATES DISTRICT COURT JUDGE

EXHIBIT 1

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AFFIDAVIT OF SCOTT RAYMOND MAUCERE

1. My name is Scott Raymond Maucere, I am over eighteen years old, and sui juris in this matter.
2. I am a member and Chief Legal Officer at the firm of Barham & Maucere LLC. We represent the Plaintiff in this matter.
3. I am licensed to practice law in the State of Texas and am in good standing. My Texas Bar No. is 24127853.
4. I am the attorney responsible for service of process of Defendants in this matter. I conducted and/or oversaw the research into the location of the Defendants for purposes of service of process.
5. Through the use of our staff and professional process servers, I was able to locate a home registered to Verlin Sanciango at 11240 Pioneer Ridge Road, Moreno Valley, California 92557.

6. I hired a professional process server to attempt service of process at the address identified as belonging to Defendant Sanciango. The process server was unable to successfully serve either Defendant at this address.
7. I communicated with the private process server regarding his attempts to perfect service of process on the Defendants. The process server was unable to perfect service at the address provided but spoke with a resident of the property and was able to confirm that it was not the Defendant.
8. I engaged in communications with the United States Attorneys' Office in the matter of United States of America vs. Verlin Sanciango, Case no: 8:21 CR 00185. I learned from the US Attorneys' Office that Verlin Sanciango had failed to surrender himself for incarceration after being allowed to travel to Dubai, United Arab Emirates for work.
9. I have further reviewed communications and social media posts from Defendant Sanciango that indicate he is currently residing in Dubai.
10. Defendant Sanciango's social media accounts appear to have been deleted or set to private.
11. It is my belief, based on my research and communications with the Federal Prosecutor that Defendant Sanciango presently resides in Dubai, United Arab Emirates and cannot be served with process. It is further my belief Defendant SCS is no longer operating in the US but in Dubai and is no longer located at any location which would allow for service or process against it.

FURTHER AFFIANT SAYETH NOT.


Scott Raymond Maucere

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this _____ day of July 2023, before me, appeared Scott Raymond Maucere, known to me or verified by identification, the person whose name is subscribed to this instrument, and acknowledge that he executed it. I declare under penalty of perjury that the person whose name is subscribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.


Notary Public

My Commission Expires
October 12, 2025

My Commission Expires: _____

Exhibit 2

Civil Action No. **3:22-CV-01877-S**

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for **VERLIN SCANPIANGCO**
was recieved by me on **9/02/2022**:

- ☐ I personally served the summons on the individual at *(place)* on *(date)* ; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* , a person of suitable age and discretion who resides there, on , and mailed a copy to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* , who is designated by law to accept service of process on behalf of *(name of organization)* ; or
- ☒ I returned the summons unexecuted because **Unknown**; or
- ☐ Other *(specify)*

My fees are \$ 0 for travel and **\$ 225.00** for services, for a total of **\$ 225.00**.

I declare under penalty of perjury that this information is true.

Date: 09/05/2022



Server's signature

William Hampton

Printed name and title

**16878 Shivers St
Victorville, CA 92395**

Server's address

Additional information regarding attempted service, etc:

9/5/2022 6:32 PM: I spoke with an individual who refused to give their name who indicated they were the resident and they stated subject unknown. The individual appeared to be a brown-haired white male contact 55-65 years of age, 5'8"-5'10" tall and weighing 160-180 lbs. I spoke with a neighbor who says not resident. Mail is returned to sender. They have lived here for 6 years.

