

**AGUA CALIENTE BAND OF CAHUILLA INDIANS
TRIBAL COURT**

In re:	)	GENERAL ORDER No. 2025-002
AMENDMENT TO GENERAL RULES	}	
OF COURT FOR THE AGUA	}	
CALIENTE BAND OF CAHUILLA	}	(Effective Immediately)
INDIANS TRIBAL COURT	}	
	}	
	}	
	}	
	}	

Pursuant to Sec. 2.60.040 (f) of the Judiciary Ordinance of the Agua Caliente Band of Cahuilla Indians, Rule 12 of the General Rules of Court is amended to include the following new subsection: 12 (e)

- (1) **Requesting a Waiver.** An individual, corporation, or association that is subject to service under Rule 8 of the Rules of Civil Procedure has a duty to avoid unnecessary expenses of serving the summons. The plaintiff may notify such a defendant that an action has been commenced and request that the defendant waive service of a summons. The notice and request must:
- (A) be in writing and be addressed:
 - (i.) to the individual defendant; or
 - (ii) for a defendant subject to service under Rule 8, to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process;
 - (B) name the court where the complaint was filed;
 - (C) be accompanied by a copy of the complaint, 2 copies of the waiver form approved by the court, and a prepaid means for returning the form;
 - (D) inform the defendant, using the approved waiver form, of the consequences of waiving and not waiving service;
 - (E) state the date when the request is sent;
 - (F) give the defendant a reasonable time of at least 30 days after the request was sent—or at least 60 days if sent to the defendant outside any judicial district of the United States—to return the waiver; and
 - (G) be sent by first-class mail or other reliable means.

(2) **Failure to Waive.** If a defendant located within the United States fails, without good cause, to sign and return a waiver requested by a plaintiff located within the United States, the court must impose on the defendant:

(A) the expenses later incurred in making service; and

(B) the reasonable expenses, including attorney's fees, of any motion required to collect those service expenses.

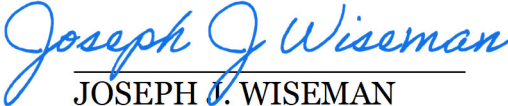
(3) **Time to Answer After a Waiver.** A defendant who, before being served with process, timely returns a waiver need not serve an answer to the complaint until 60 days after the request was sent—or until 90 days after it was sent to the defendant outside any judicial district of the United States.

(4) **Results of Filing a Waiver.** When the plaintiff files a waiver, proof of service is not required and these rules apply as if a summons and complaint had been served at the time of filing the waiver.

(5) **Jurisdiction and Venue Not Waived.** Waiving service of a summons does not waive any objection to personal jurisdiction or to venue.

IT IS SO ORDERED.

Dated: October 9, 2025



JOSEPH J. WISEMAN
Chief Judge