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6 **IN THE UNITED STATES DISTRICT COURT FOR THE**
7 **EASTERN DISTRICT OF CALIFORNIA**
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10 **MALIBU MEDIA, LLC,**

1:15-cv-01943-AWI-SKO

11 Plaintiff,

**FOURTH ORDER RELATING AND
REASSIGNING CASES**

12 v.

13 **JOHN DOE SUBSCRIBER**
14 **ASSIGNED IP ADDRESS**
98.255.92.230,

**ORDER IMPOSING MONITARY
SANCTIONS FOR PLAINTIFF'S
THIRD FAILURE TO FILE NOTICE
OF RELATED CASES**

15 Defendant.
16 _____/

17 On July 24, 2016, Malibu Media, LLC, (“Malibu”) filed eight additional cases with the
18 Fresno Division of the United States District Court for the Eastern District of California. A
19 review of those newly-filed actions reveals that they are related under Eastern District Local
20 Rule 123 to the above enumerated action. All eight of those actions appear to involve similar
21 questions of fact and law and assignment to the same judge is likely to effect a substantial
22 savings of judicial effort. See Local Rule 123(a)(3). Because the undersigned is assigned the
23 lowest numbered related case, all of the below listed cases will be reassigned to the dockets of
24 Senior District Judge Anthony Ishii and referred to Magistrate Judge Sheila K. Oberto. The
25 following actions will be reassigned: *Malibu Media, LLC v. John Doe subscriber assigned IP*
26 *address 50.173.4.30*, case no. 1:16-cv-01059-DAD-EPG; *Malibu Media, LLC v. John Doe*
27 *subscriber assigned IP address 107.218.16.31*, case no. 1:16-cv-1060-LJO-BAM; *Malibu*
28 *Media, LLC v. John Doe subscriber assigned IP address 108.237.78.182*, case no. 1:16-cv-1061-

1 DAD-SAB; and *Malibu Media, LLC v. John Doe subscriber assigned IP address*
2 *67.187.234.122*, case no. 1:16-cv-1062-LJO-EPG; *Malibu Media, LLC v. John Doe subscriber*
3 *assigned IP address 99.122.116.114*, case no. 1:16-cv-1067-DAD-JLT; *Malibu Media, LLC v.*
4 *John Doe subscriber assigned IP address 107.134.110.77*, case no. 1:16-cv-1068-LJO-EPG;
5 *Malibu Media, LLC v. John Doe subscriber assigned IP address 98.224.106.151*, case no. 1:16-
6 cv-1069-AWI-MJS; *Malibu Media, LLC v. John Doe subscriber assigned IP address*
7 *98.224.96.13*, case no. 1:16-cv-1070-DAD-SKO.

8 Malibu failed to file a Notice of Related Cases (or indicate in its civil cover sheet that
9 related cases exist) for any of the eight cases that it filed with this Court on July 24, 2016. In
10 failing to do so, Malibu has failed to comply with Local Rules for a third time. *See* Doc. 4 (citing
11 E.D. Cal. Local Rule 123(b)); Doc. 13 at 2. At Malibu’s first failure, the Court warned that
12 failure to comply with Local Rules *could* result in sanction. Doc. 4 (citing E.D. Cal. Local Rule
13 110 (“Failure of counsel or of a party to comply with these Rules or with any order of the Court
14 may be grounds for the imposition by the Court of any and all sanctions...within the inherent
15 power of the Court.”) Malibu was then warned for a second time and final time that “any
16 subsequent failure to file a Notice of Related Cases when filing with this Division a new case
17 that requires such notice *will* result in monetary sanction.” Doc. 13 at 2 (emphasis original).
18 Despite this clear warning, Malibu again failed to file a notice of relation. As a result of that
19 failure, Malibu will be sanctioned \$900.00.

20 Accordingly, IT IS HEREBY ORDERED that:

- 21 1. Case numbers 1:16-cv-01059-DAD-EPG, 1:16-cv-1060-LJO-BAM, 1:16-cv-1061-DAD-
22 SAB, 1:16-cv-1062-LJO-EPG, 1:16-cv-1067-DAD-JLT, 1:16-cv-1068-LJO-EPG, 1:16-
23 cv-1069-AWI-MJS, and 1:16-cv-1070-DAD-SKO are REASSIGNED from their
24 respective dockets to the docket of Senior District Judge Anthony W. Ishii and
25 REFERRED to Magistrate Judge Sheila K. Oberto;
- 26 2. The lead case number in this matter, which Malibu shall use to relate all future related
27 filings, is: 1:15-cv-01943-AWI-SKO;

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3. For its violation of Local Rules and this Court's prior orders Malibu is sanctioned in the amount of \$900.00, which shall be paid to the Clerk of the Court within five (5) days of the date of this order.

IT IS SO ORDERED.

Dated: July 26, 2016



SENIOR DISTRICT JUDGE