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8 Attorney for Plaintiff  
 9 IO GROUP, INC.

10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN FRANCISCO DIVISION**

13	IO GROUP, INC. d/b/a TITAN MEDIA, a	)	
14	California corporation,	)	<b>CASE NO.: C-08-4050 (MMC)</b>
15		)	
16	Plaintiff,	)	<b>[PROPOSED] ORDER FOR LEAVE TO</b>
17		)	<b>TAKE EARLY DISCOVERY</b>
18	vs.	)	
19		)	
20	ANTELOPE MEDIA, LLC, an Arizonian	)	<b>No Hearing</b>
21	limited liability company, and DOES 1 through	)	
22	5 inclusive,	)	
23		)	
24	Defendants.	)	
25		)	

26 **[PROPOSED] ORDER**

27 Having considered Plaintiff’s Miscellaneous Administrative Request Pursuant to Local  
 28 Rule 7-11 for Leave to Take Discovery Prior to Rule 26 Conference and finding good cause  
 therefore,

**IT IS HEREBY ORDERED**, that plaintiff is granted leave to take early discovery.

Plaintiff may immediately serve on Defendant Antelope Media, LLC Interrogatories in  
 substantially the same form as those attached to Plaintiff’s Supplemental Miscellaneous  
 Administrative Request for Leave to Take Early Discovery at Exhibit B.

1           **IT IS FURTHER ORDERED**, that upon obtaining Internet protocol addresses from  
2 Defendant Antelope media, LLC, plaintiff may serve on Internet access providers subpoenas to  
3 obtain subscriber information for subscribers assigned ip addresses provided by Antelope Media,  
4 LLC. Such subpoenas should be substantially in the same form as the example attached to  
5 plaintiff's Miscellaneous Administrative Request for Leave to Take Discovery Prior to Rule 26  
6 Conference as Exhibit A;


8           **IT IS FURTHER ORDERED**, that if any Internet access provider served with a  
9 subpoena in accordance with this Order identifies a downstream access provider rather than an  
10 individual subscriber, plaintiff may serve on the downstream provider(s) such additional  
11 subpoenas as necessary in order to identify the individual subscriber assigned the ip address on the  
12 date and time in question;

14           **IT IS FURTHER ORDERED**, that subpoenas authorized by this order and issued  
15 pursuant thereto shall be deemed appropriate court orders under 47 U.S.C. §551;

17           **IT IS FURTHER ORDERED**, that Internet access providers shall have <sup>twenty-one (21)</sup>~~fourteen (14)~~  
18 days from the date they are served a subpoena and a copy of this order to respond to the subpoena  
19 in order that such provider shall have sufficient time to provide notice to the subscriber whose  
20 subscriber information plaintiff seeks to obtain thereby; and

22           **IT IS FURTHER ORDERED**, that good faith attempts by Internet service providers to  
23 notify the subscribers shall constitute compliance with this order.

26 Dated: January 22, 2009

  
MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE