



1 the same information upon other persons or entities revealed by the limited discovery from the  
2 three entities described above.

3  
4 If Amazon, or any subsequent necessary entity served, wishes to file a motion to quash the  
5 subpoenas or to serve objections, it must do so before the return date of the subpoenas, which shall  
6 be no less than twenty-one (21) days from the date of service of the subpoenas. Among other  
7 things, Amazon, or any subsequent necessary entity served, may use this time to notify the  
8 subscribers in question.

9 Amazon, and any subsequent necessary entity served, shall preserve any subpoenaed  
10 information or materials pending compliance with the subpoenas or resolution of any timely  
11 objection or motion to quash.

12 IT IS FURTHER ORDERED that Plaintiff must serve a copy of this order on Amazon, and  
13 any subsequent necessary entity, when it serves the subpoenas.

14 IT IS FURTHER ORDERED that any information disclosed to Plaintiff in response to the  
15 Fed. R. Civ. P. 45 subpoenas may be used by Plaintiff solely for the purpose of protecting  
16 Plaintiff's rights under the Copyright Act.

17 IT IS FURTHER ORDERED THAT Plaintiff shall have a ninety (90) day enlargement of  
18 time within which to serve Defendant with Summons and Complaint, and in no event later than  
19 November 20, 2009. Come in for a cmc on September 24, 2009, at 11:00 a.m. Please file a  
20 statement at least seven days prior.

Dated: September 2, 2009.

Magistrate Judge, United States District Court for the  
Northern District of California

21 Presented By:

22 J. Andrew Coombs, A Prof. Corp.

23  
24 By: Nicole L. Drey

J. Andrew Coombs  
Annie S. Wang  
Nicole L. Drey

26 Attorneys for Plaintiff  
27 Adobe Systems Incorporated  
28



**PROOF OF SERVICE**

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 East Wilson Avenue, Suite 202, Glendale, California 91206.

On September 1, 2009, I served on the interested parties in this action with the:

- *EX PARTE* APPLICATION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY PRIOR TO RULE 26(F) CONFERENCE AND REQUEST FOR ENLARGEMENT OF TIME WITHIN WHICH TO EFFECT SERVICE OF PROCESS; DECLARATIONS IN SUPPORT THEREOF
- [PROPOSED] ORDER GRANTING PLAINTIFFS' APPLICATION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY PRIOR TO RULE 26(F) CONFERENCE AND REQUEST FOR ENLARGEMENT OF TIME WITHIN WHICH TO EFFECT SERVICE OF PROCESS
- DECLARATION OF NICOLE L. DREY IN RESPONSE TO ORDER TO SHOW CAUSE

for the following civil action:

Adobe Systems Incorporated v. Marmoletos, et al.

by placing a true copy thereof in a sealed envelope. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Manuel Marmoletos a/k/a Manuel Marmolejos 350 Audobon Ave., #2 New York, NY 10033-4233	Manuel Marmoletos 605 W. 170 <sup>th</sup> St., #3-G New York, NY 10032
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Place of Mailing: Glendale, California  
Executed on September 1, 2009, at Glendale, California.

  
\_\_\_\_\_  
Nicole L. Drey