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UNITED STATES DISTRICT COURT
Northern District of California

PATRICK COLLINS, INC.,

No. C 11-2766 MEJ

Plaintiff,

ORDER TO SHOW CAUSE

v.

Re: Docket Nos. 48-50

DOES 1-2,590,

Defendants.

On June 7, 2011, Plaintiff Patrick Collins, Inc. filed this lawsuit against 2,590 Doe Defendants, alleging that Defendants illegally reproduced and distributed a work subject to Plaintiff's exclusive license, ("*Real Female Orgasms 10*"), using an internet peer-to-peer file sharing network known as BitTorrent, thereby violating the Copyright Act, 17 U.S.C. § 101-1322. Compl. ¶¶ 6-15, Dkt. No. 1. On September 22, 2011, the Court granted Plaintiff's Application for Leave to Take Limited Expedited Discovery. Dkt. No. 12. The Court permitted Plaintiff to serve subpoenas on Does 1-2,590's Internet Service Providers ("ISPs") by serving a Federal Rule of Civil Procedure 45 subpoena that seeks information sufficient to identify the Doe Defendants, including the name, address, telephone number, and email address of Does 1-2,590. *Id.* at 11. Once the ISPs provided Does 1-2,590 with a copy of the subpoena, the Court permitted Does 1-2,590 30 days from the date of service to file any motions contesting the subpoena (including a motion to quash or modify the subpoena). *Id.*

Now before the Court are motions to quash and dismiss, filed by potential Doe Defendant

1 Steven Douglas Buchanan, from ISP Qwest-Century Link.¹ Dkt. Nos. 48-50. Upon review of Mr.
2 Buchanan's motions, it appears that jurisdiction is lacking and venue is improper. Accordingly, the
3 Court ORDERS Plaintiff to show cause why Mr. Buchanan should not be dismissed. Plaintiff shall
4 file a declaration by December 6, 2011.

5 **IT IS SO ORDERED.**

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7 Dated: December 1, 2011

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10 Maria-Elena James
11 Chief United States Magistrate Judge
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27 ¹Although Mr. Buchanan filed a motion to proceed anonymously, the Court finds any such
28 order unnecessary as Plaintiff may not use any information obtained from this case against him
unless the Court orders otherwise.

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PATRICK COLLINS INC,
Plaintiff,

Case Number: CV11-02766 MEJ

CERTIFICATE OF SERVICE

v.

DOES 1-2590 et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 1, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Steven Douglas Buchanan
22026 N 33rd Drive
Phoenix, AZ 85027

Dated: December 1, 2011

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk