

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BETSY FEIST,

Plaintiff,

v.

RCN CORPORATION AND PAXFIRE, INC.,

Defendant.

Misc. Case No. 12-mc-80135 SI

ORDER TO SHOW CAUSE

Underlying Action Pending in S.D.N.Y. Case
No. 11 CV 5436 JGK

Related Cases:

- 12-mc-80119
- 12-mc-80121
- 12-mc-80140

This miscellaneous action arises from a motion to quash deposition and document subpoenas issued to third-parties Electronic Frontier Foundation and Peter Eckersley (“EFF”) by defendant Paxfire, Inc. On November 6, 2012, the Court found that EFF’s motion to quash should be granted. On November 8, 2012, defendant Paxfire appealed the Court’s decision to the Ninth Circuit. On November 20, 2012, EFF filed a motion for sanctions, asking this Court to sanction Paxfire under Federal Rule of Civil Procedure 45(c)(1) for discovery abuse. The motion for sanctions is set to be heard on Friday January 11, 2013. On December 17, 2012, Paxfire filed a Suggestion of Bankruptcy, suggesting that this action be stayed in light of Paxfire’s recently filed Title 11 bankruptcy petition.

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The hearing on the motion for sanctions is hereby VACATED. EFF is Ordered to Show Cause on or before **January 18, 2013** why this case should not be stayed in light of Paxfire's bankruptcy petition. Paxfire may file a response to EFF's filing on or before **January 25, 2013**.

IT IS SO ORDERED.

Dated: January 8, 2013



SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE