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8	UNITED STATES I	DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN FRANCISCO DIVISION		
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12	TAGGED, INC., a Delaware corporation,) Case No. 3:13-cv-02256 CRB (NC)	
13	PLAINTIFF,	 (PROPOSED) ORDER GRANTING AS MODIFIED PLAINTIFF TAGGED, 	
14	vs.	 MODIFIED PLAINTIFF TAGGED, INC.'S EX PARTE APPLICATION FOR EXPEDITED LIMITED DISCOVERY 	
15	ROSTISLAV "ROSS" GOLDENBERG and Does 1 through 200 as alter egos, affiliate) BEFORE RULE 26(f) CONFERENCE	
16	spammers, programs, and fraudulently marketed websites,		
17	DEFENDANTS.		
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_0		Case No. 13-cv-02256 CRB (NC)	
	[PROPOSED] ORDER GRANTING PLAINTIFF'S EX PARTE APPLICATION FOR LIMITED EXPEDITED		
		Dockets.Justia.com	

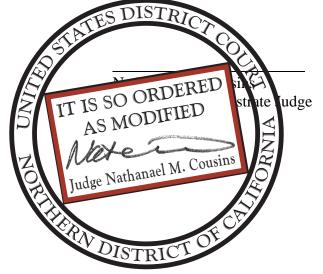
1	Having considered all of the papers and evidence presented to the Court by the parties,		
2	the Court finds that Tagged has demonstrated good cause to authorize limited expedited discovery		
3	prior to the parties' Rule 26(f) conference. Specifically, Tagged has demonstrated that its efforts to		
4	obtain information related to Defendant Rostislav Goldenberg's activities have been met with		
5	resistance and that Mr. Goldenberg continues to engage in the illegal spamming activities		
6	complained of in the Complaint. Tagged seeks this limited discovery for the legitimate purpose of		
7	identifying the Doe Defendants, understanding the financial relationships among the Defendants,		
8	and determining whether expedited injunctive relief is feasible and efficacious.		
9	Accordingly, Tagged's Ex Parte Application for Limited Expedited Discovery		
10	is GRANTED AS MODIFIED.		
11	Plaintiff shall be entitled to seek the following expedited discovery from defendant		
12	Rostislav "Ross" Goldenberg and the third parties Whois.com, eNom, Inc., and Go Daddy, Inc. as		
13	to the following categories of information:		
14	(1)	The identity and available contact information of internet domains that Goldenberg	
15		and the Affiliate Spammers registered and/or used to assist in creating user accounts with Tagged;	
16 17	(2)	The identity and available contact information of the Affiliate Spammers (Does 1-50) and Affiliate Programs (51-100);	
18	(3)	The identity and available contact information of the adult dating and/or pornographic websites (Does 101-200) who pay Goldenberg, the Affiliate Programs and the Affiliate Spammers to direct internet traffic to their websites;	
19 20	(4)	Financial records, including bank account information, credit card data, and routing information, of payments to or from Goldenberg and the Doe Defendants;	
21 22	(5)	Financial records, including bank account information, credit card data, and routing information, sufficient to identify the source and flow of funds used by Goldenberg in furtherance of his spamming activities; and	
23	(6)	The identity and all available contact information of those who have registered the	
24		adult dating and/or pornographic domains that pay Goldenberg to direct traffic to their websites.	
25	The terms "Affiliate Spammers" and "Affiliate Programs" have the meaning defined in the		
26	complaint filed in this case.		
27	The expedited discovery permitted in this order is limited to the period of time from		
28	January 1, 2012 to the present.		
		1 Case No. 13-cv-02256 CRB (NC)	
	[PROPOSED] ORDER GRANTING PLAINTIFF TAGGED, INC.'S EX PARTE APPLICATION FOR LIMITED EXPEDITED DISCOVERY BEFORE RULE 26(f) CONFERENCE		

This order does not prevent any party or third party served with a discovery request from
 seeking a protective order regulating the use of confidential information, or otherwise objecting to
 the discovery as permitted by law.

Any party may object to this nondispositive pretrial order within 14 days of the filing date of this order. *See* Civ. L.R. 72-2.

IT IS SO ORDERED.

Date: July 24, 2013



Case No. 13-cv-02256 CRB (NC) [PROPOSED] ORDER GRANTING PLAINTIFF TAGGED, INC.'S EX PARTE APPLICATION FOR LIMITED EXPEDITED DISCOVERY BEFORE RULE 26(f) CONFERENCE