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 7 Tagged, Inc.

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

12 Tagged, Inc., a Delaware corporation,
 13
 Plaintiff,
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 v.
 15 Does 1 through 10 as Affiliate Programs
 16 for ISECUREBILL.COM, and Does 11
 17 through 500 as Affiliate Spammers for
 ISECUREBILL.COM,
 18
 Defendants.

Case No. CV-09-1706 SBA

**ORDER GRANTING PLAINTIFF TAGGED,
 INC.'S ADMINISTRATIVE REQUEST
 PURSUANT TO LOCAL RULE 7-11 FOR
 LEAVE TO TAKE DISCOVERY PRIOR TO
 RULE 26 CONFERENCE**

19 The Court, having considered Plaintiff Tagged, Inc.'s Administrative Request Pursuant To
 20 Local Rule 7-11 For Leave To Take Discovery Prior To Rule 26 Conference, hereby GRANTS
 21 the motion. Therefore, it is hereby ORDERED as follows:

22 **(1) Immediate Discovery**

23 ORDERED that Tagged Inc. ("Tagged") may immediately serve subpoenas on the
 24 domestic privacy registrants and internet service providers for isecurebill.com and its affiliated
 25 websites including ilovebootay.com and 14inchesanal.com (collectively "isecurebill.com"), in the
 26 form attached as Exhibits A through D for the limited purpose of obtaining the names, current and
 27 former addresses, telephone numbers, e-mail addresses, IP addresses, and/or other information
 28

1 (collectively “Identifying Information”) that may be used to identify the individuals or entities
2 responsible for registering, controlling, or paying for the domains, sub-domains, or websites
3 located at or under isecurebill.com, including the registrant contact, administrative contact,
4 technical contact, and billing contact, and including all IP addresses used by any such persons or
5 entities to register, administer, maintain, operate, pay for, or upload information to the domain
6 name or the website.

7 ORDERED that Tagged must serve a copy of this Order attached to any subpoena it
8 serves pursuant to this Order.

9 **(2) Identification and Service on Defendants**

10 ORDERED that the privacy registrants and internet service providers served with
11 subpoenas as provided herein shall identify the individuals or entities responsible for registering,
12 controlling, or paying for the domains, sub-domains, or websites located at or under
13 isecurebill.com within five days of service of the subpoena, and in that five-day period serve such
14 individuals or entities with a copy of the subpoena and this Order.

15 **(3) Motions to Quash or Other Objections**

16 ORDERED that any individual or entity served with a subpoena pursuant to this Order
17 shall have 20 days from service of the subpoena, to move to quash or otherwise object to the
18 subpoena. If no such action is taken within this time period, then following its expiration, the
19 recipient of the subpoena shall immediately produce the information requested in the subpoena.

20 **(4) Preservation of Evidence**

21 ORDERED that the recipient of a subpoena pursuant to this Order shall preserve and not
22 destroy all documents and evidence requested in the subpoena.

23 **(5) Scope of Use of the Identifying Information**

24 ORDERED that any information disclosed to Tagged in response to the subpoena may be
25 used by it solely for the purpose of protecting its rights in the above-captioned case. Any such
26 information filed with this Court shall conform to Federal Rule of Civil Procedure 5.2 and Civil
27 Local Rule 3-17.

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IT IS SO ORDERED.

Dated this 30th day of June, 2009.


