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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IO GROUP, INC.,

No. C-10-04381-CW (DMR)

Plaintiff,

**ORDER STAYING COMPLIANCE  
WITH SUBPOENA**

v.

DOES 1-138,

Defendants.

On November 9, 2010, this Court granted Plaintiff IO Group, Inc.’s administrative request for leave to take early discovery, and granted Plaintiff leave to serve a subpoena upon Verizon Online, LLC (“Verizon”), seeking the names and addresses of subscribers assigned specific IP addresses identified in the subpoena. *See* Docket No. 14. On January 31, 2011, the Court received a Motion to Quash Plaintiff’s subpoena, which was submitted by counsel for an “Anonymous” Defendant (“Defendant”). *See* Docket No. 32. This Court has been referred all discovery matters for resolution.

**By no later than February 17, 2011:**

- 1) Defendant is ordered to file with the Court and serve on Plaintiff his or her IP address.

1           2)       Defendant shall also file with the Court and serve on Plaintiff a copy of the  
2                   documents that Verizon served on Defendant. Because the Court has not ruled on  
3                   Defendant's Motion to Quash, Defendant may cross out his or her identifying  
4                   information (except for his or her initials and the IP address) on the documents to be  
5                   submitted.

6           The Court also notes that Defendant's counsel is located in Georgia, and there is no  
7           indication that counsel has been admitted to practice in this Court. Only members of the bar of this  
8           Court may practice in this Court, unless the Court approves of a written application by an attorney  
9           who is not a member of the California bar to appear *pro hac vice*. See Civil Local Rules 11-1 and  
10          11-3.

11          Verizon, the recipient of Plaintiff's subpoena, shall stay its compliance with Plaintiff's  
12          subpoena until **February 18, 2011**.

13          If Defendant has provided Plaintiff with his or her IP address by February 17, 2011, Plaintiff  
14          shall so notify Verizon, which may comply with Plaintiff's subpoena with respect to all IP addresses  
15          listed on the subpoena other than the IP address belonging to Defendant and IP addresses belonging  
16          to any other Defendants who have timely filed objections or moved to quash the subpoena with the  
17          Court.

18          If Defendant has not provided Plaintiff with Defendant's IP address by February 17, 2011,  
19          Plaintiff shall so notify Verizon, which may comply with Plaintiff's subpoena with respect to all IP  
20          addresses listed on the subpoena except for IP addresses belonging to any other Defendants who  
21          have timely filed objections or moved to quash the subpoena with the Court.

22          **Immediately upon receipt of this Order, Plaintiff shall serve this Order upon Verizon**  
23          **and shall e-file a proof of service on the same day that service is effected.** Plaintiff shall also  
24          promptly notify Verizon that its notice to subscribers which appears to allow for 30 days to file a  
25          motion to quash is not in compliance with this Court's November 9, 2010 Order, wherein  
26          subscribers were permitted 15 days from service of Verizon's notice upon them to file any such  
27          motions with the Court. Verizon shall correct its notice for all future notices that Verizon sends to  
28          subscribers in this case.

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IT IS SO ORDERED.

Dated: February 9, 2011



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DONNA M. RYU  
United States Magistrate Judge