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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

PARAMOUNT PICTURES CORPORATION, et al., Plaintiffs, v. JOHN DOE, Defendant.	Case No.: C 09-80015 JW (PVT) **ORDER DENYING REQUEST FOR CIVIL SUBPOENA WITHOUT PREJUDICE TO PLAINTIFFS FILING A RENEWED REQUEST ALONG WITH A PROPER SUBPOENA**

On February 9, 2009, Plaintiffs filed a Request to Issue Civil Subpoena Pursuant to 17 U.S.C. § 512(h). Based on the request and declaration submitted,

IT IS HEREBY ORDERED that Plaintiffs' request is DENIED without prejudice to Plaintiffs submitting a renewed request along with a proper subpoena. The proposed subpoena submitted by Plaintiffs improperly calls for a company in this district to produce documents in a different district. The proposed subpoena is also signed by Plaintiffs' counsel. Section 512(h) provides that, if a request is properly supported and the subpoena is in proper form, the "the *clerk* shall expeditiously issue and sign the proposed subpoena." *See* 17 U.S.C. § 512(h)(4) (emphasis added).

IT IS FURTHER ORDERED that this order is without prejudice to Plaintiffs filing a renewed request along with a subpoena in proper form.

Dated: *2/12/09*

Patricia V. Trumbull

PATRICIA V. TRUMBULL
United States Magistrate Judge

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