

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00695-CMA-KLM

WORLDWIDE FILM ENTERTAINMENT, LLC,

Plaintiff,

v.

DOES 1-749,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the **Motion to Quash/Vacate the Subpoena** filed by Interested Party Joy Romaine [Docket No. 1; Filed March 25, 2010] (the “Motion”).

The underlying subpoena was issued by the United States District Court for the District of Columbia. See Docket No. 1, at 2. The court issuing the subpoena has the authority to quash it. See Fed. R. Civ. P. 45(c)(3)(A). “Subpoenas issued under Rule 45 ‘constitute process of the issuing court, and are enforced by that same court.’” *Jennings v. Short-Elliott-Hendrickson, Inc.*, No. 05-cv-01056-LTB-MEH, 2007 WL 2045497, at *1 (D. Col. July 10, 2007) (quoting *In re Matter of Certain Complaints under Investigation*, 783 F.2d 1488, 1495 (11th Cir. 1986)). This Court therefore lacks jurisdiction to quash the subpoena. See *Davis Audio Visual, LLC v. Greer*, No. 09-cv-00175-ZLW-MEH, 2009 WL 1537892, at *2 (D. Colo. May 28, 2009) (citing *In re Sealed Case*, 141 F.3d 337, 341 (D.C. Cir. 1998); *In re Digital Equip. Corp.*, 949 F.2d 228 (8th Cir. 1991)). Accordingly,

IT IS HEREBY ORDERED that the Motion is **DENIED** without prejudice.

Dated: April 5, 2010