

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01877-MSK-MEH

S. JAWN ROSS, and
S. JAWN ROSS, PC,

Plaintiffs,

v.

JOHN AND JANE DOES 1-5,

Defendants.

ORDER

Michael E. Hegarty, United States Magistrate Judge.

Plaintiffs' Motion for Expedited Order Authorizing Discovery [filed July 19, 2011; docket #2] is **granted**. Plaintiffs allege that unknown John and Jane Doe defendants are posting defamatory and harmful statements about Plaintiff S. Jawn Ross on the internet. Plaintiffs request permission from the Court to engage in discovery before Fed. R. Civ. P. 26(f) conferral. The purpose of this discovery is to ascertain the identities of the John and Jane Doe defendants.

Fed. R. Civ. P. 26(d) proscribes seeking discovery before Rule 26(f) conferral. However, this prohibition is not absolute; the Court may authorize discovery upon a showing of good cause. *Pod-Ners, LLC v. Northern Feed & Bean of Lucerne Ltd. Liability Co.*, 204 F.R.D. 675, 676 (D. Colo. 2002). "Expedited discovery should be limited, however, and narrowly tailored to seek information necessary to support expedited or preliminary relief." *Avaya, Inc. v. Acumen Telecom Corp.*, No. 10-cv-03075-CMA-BNB, 2011 WL 9293, at *2 (D. Colo. Jan. 3, 2011) (citation omitted).

After review of the motion and discussion on the record at the August 8, 2011 hearing, the

Court finds that Plaintiff establishes good cause for limited expedited discovery, as follows. The Court authorizes the issuance of twelve subpoenas, for the purpose of obtaining the identity of the individuals posting allegedly defamatory statements on the internet regarding Plaintiffs. If Plaintiffs determine further expedited discovery is necessary, Plaintiffs may again seek leave of court.

SO ORDERED.

Entered and dated at Denver, Colorado, this 9th day of August, 2011.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive style with a large, looped initial "M".

Michael E. Hegarty
United States Magistrate Judge