

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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)	
Doe I and Doe II)	
)	
Plaintiffs,)	
)	
v.)	Case Number: 07-CV-00909-CFD
)	
John Doe 21, a.k.a. AK47)	
)	
Defendant.)	
)	

DEFENDANT JOHN DOE 21'S MOTION TO PROCEED ANONYMOUSLY

Defendant John Doe 21, a.k.a "AK47," moves for permission to proceed anonymously in this matter. The basis of this motion is as follows:

1. Though constitutionally protected, the comment allegedly made by John Doe 21, *i.e.*, "Women named Jill and [Doe II's exceedingly common first name] should be raped," is unsavory, silly, and, if attributed to John Doe 21, would humiliate John Doe 21 and generate devastating discussion concerning John Doe 21, his background, race, religion, and other personal details now publicly available on various internet web sites.
2. John Doe 21's actual name has absolutely no relevance to this matter.
3. When one "Ryan Mariner" was mentioned in Plaintiffs' moving documents (with no apparent justification; see Plaintiffs' Memorandum of Law in Support of Motion for Expedited Discovery at 11), Ryan Mariner was repeatedly viciously attacked on Autoadmit.com. The attacks' frequency and vileness are now readily viewable by anyone who conducts a search for "Ryan Mariner" on Google.com (or any other widely used Internet search engine). Since John Doe 21, unlike Ryan Mariner, is alleged to have made a supposedly harmful comment at issue in this matter, his name and identity would be subject to much more pronounced attacks on Autoadmit.com and elsewhere.
4. The Autoadmit.com pseudonym "AK47" has been linked to many, many comments on the Autoadmit website, the majority of which is offensive and negative (thought not legally actionable or violative of any person's legal rights). Revealing John Doe 21's identity in this suit would not only attribute to him the allegedly harmful comment at issue here, but also every other comment linked to him on the Autoadmit.com website. Since this case has gained some

popularity on the internet and has been discussed in several major newspapers, including the Washington Post (see http://www.washingtonpost.com/wp-dyn/content/article/2007/03/06/AR2007030602705_pf.html), the damage caused by attribution would be particularly severe.

5. Plaintiffs' recent Motion to Substitute Name of Defendant further demonstrates the acute danger of being named in this case. One of the pseudonymous defendants' aliases in this case happens to be the true name of an innocent third party with no connection to this case. The third party's name has been thoroughly ridiculed and attacked on the Autoadmit site and elsewhere as a result of being implicated here, which prompted this third party to contact and ask that his name be removed from all case filings. It is unclear what Plaintiffs or this third party intends to do about the numerous websites that currently carry damaging information about the third party.
6. Plaintiffs themselves have asked this court to proceed under fictitious names in order to preserve their personal emotional stability and public reputations. There is no reason to deny the same to John Doe 21.
7. Anthony Ciolli, the principal original defendant in the present case, lost a job offer due to being implicated in this matter. Ciolli was dropped from the suit, but not before the law firm of Edwards Angell Palmer & Dodge rescinded a standing offer to Ciolli. Ciolli has filed a lawsuit in Connecticut state court suggesting, *inter alia*, that the lawsuit brought by Doe I, Doe II, David Rosen, Mark Lemley, Ross Chanin and others against Ciolli (i.e., the present suit) was groundless and caused him to lose the Edwards Angell offer even though he received stellar performance reviews from his superiors. John Doe 21 is similarly contemplating a lawsuit against Does and their attorneys for bringing this suit, a suit which John Doe 21 believes is frivolous and fueled by vengeance, not merited claims; however, John Doe 21 respectfully asks this court to prevent Does and their attorneys from harming John Doe 21 in the same way that they have harmed Ex-Defendant Ciolli, Ryan Mariner, the person at issue in Plaintiffs' recent Motion to Substitute Name of Defendant, and other innocent parties in this case. Out of respect for the wishes of Does to remain anonymous in this matter, this Motion does not include a copy of the Ciolli Complaint since the Complaint includes revealing personal information pertaining to Does.

As this court is aware, Plaintiffs have used (and will likely continue to use) the tools of this court to attempt to "unmask" the true identity of John Doe 21, a.k.a. "AK47," on the basis of a comment John Doe 21 believes is legally innocuous. Accordingly, for the reasons mentioned above, John Doe 21 hereby respectfully requests that, if his name is eventually unmasked by Plaintiffs, his name not be mentioned in any court document in this matter. John Doe 21 further requests that either "John Doe 21" or "AK47" be used to identify him in all moving papers and other court documents moving forward.

Date: March 12, 2008.

Respectfully Submitted,

JD

John Doe 21, a.k.a AK47

CERTIFICATE OF SERVICE

I hereby certify that, on this 10th day of March, 2008, I caused a copy of the foregoing motion to be served by facsimile and first class mail, postage prepaid, upon the following:

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Signature:

JD

Clerk of the Court
United States District Court - District of Connecticut
450 Main Street
Hartford, CT 06103

Date: March 10, 2008

Re: Doe I & Doe II, Plaintiffs, v. Individuals Whose True Names are Unknown, et. al., &
John Doe 21, a.k.a AK47, Defendants/Case Number: 07-CV-00909-CFD

Dear Clerk of the Court:

Please file the enclosed motion and other materials in the above matter.

Thank you,

John Doe 21