

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

DOE I, and DOE II,

Plaintiffs,

v.

Individuals, whose true names are unknown,

Defendants.

Case No. 3:07CV00909(CFD)

**DECLARATION OF STEVE MITRA IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO JOHN DOE 21'S MOTION TO QUASH
PLAINTIFF'S SUBPOENA¹**

I, Steve Mitra, declare as follows:

1. I am duly licensed to practice law in the State of California and am an associate with the law firm of Kecker & Van Nest, LLP, counsel for plaintiffs Doe I and Doe II in the above-captioned proceeding. I am admitted *pro hac vice* to appear before this Court in this action. I have knowledge of the facts set forth herein, and if called to testify as a witness thereto, could do so competently under oath.

2. On January 25, 2008, we posted notice on autoadmit.com, notifying defendants that we filed a motion for expedited discovery, and providing an email address for contacting us. Attached hereto as **Exhibit 1** is a true and correct copy of this post.

3. On or around February 1, 2008, we sent a subpoena to SBC Internet Services, Inc. (now known as AT&T Internet Services ("AT&T")) for information relating to the identity of the

¹ The exhibits attached to this declaration have been redacted to replace Doe II's name, in accordance with this Court's Order of June 18, 2007 granting Plaintiffs' motion to proceed anonymously.

person(s) assigned to the Internet Protocol (“IP”) address 75.18.198.98 on July 18, 2007 at 2:54 a.m. Eastern Time. Attached hereto as **Exhibit 2** is a true and correct copy of Plaintiffs’ Subpoena for the Production of Documents to SBC Internet Services, Inc. (now known as AT&T Internet Services (“AT&T”)), dated February 1, 2008.

4. Attached hereto as **Exhibit 3** is a true and correct copy of a fax I received from AT&T, dated February 7, 2008, which memorialized the agreement reached between me and AT&T to extend the time for AT&T to respond to the subpoena to February 25, 2008.

5. On the afternoon of February 25, 2008, my law firm received by U.S. mail, a letter signed by “John Doe 21, a.k.a. ‘AK47’” and a Motion to Quash signed by John Doe 21. A true and correct copy of John Doe 21’s letter is attached hereto as **Exhibit 4**.

6. On February 26, 2008, my colleague Rose Darling sent a message to AK47 at the email address “John Doe 21, a.k.a. ‘AK47’” provided in his letter, inviting him to contact Ms. Darling or me to discuss his letter and motion. To date, AK47 has not telephoned me or Ms. Darling to discuss the contents of his letter. Attached hereto as **Exhibit 5** is a true and correct copy of the message sent by my colleague Rose Darling to the email address provided by “John Doe 21 a.k.a. ‘AK47’” on February 26, 2008.

7. Attached hereto as **Exhibit 6** is a true and correct copy of AT&T’s response to the subpoena, with the customer information redacted.

8. I declare under penalty of perjury that the foregoing is true and correct, and executed this 17th day of March, 2008.

/s/ Steve Mitra
STEVE MITRA