

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

DOE I and DOE II,

Case No. 3:07CV00909 (CFD)

Plaintiffs,

v.

April 18, 2008

Unknown Individuals,

Defendants.

MOTION FOR EXTENSION OF TIME TO SERVE COMPLAINT

Plaintiffs DOE I and DOE II move the Court to allow them an additional 60 days to serve their First Amended Complaint which was filed with the Court on November 8, 2007. This Court previously granted Plaintiffs one extension of time to serve the complaint, until April 21, 2008. The basis of this motion is as follows:

1. Plaintiffs allege that Defendants took advantage of the anonymity provided by an Internet website, AutoAdmit.com, to defame, physically threaten, harass, and otherwise tortiously injure Plaintiffs.

2. The very anonymity that has cloaked Defendants' identities has hampered Plaintiffs' ability to prosecute their case. So as to uncover the defendants' identities and serve them with the complaint, Plaintiffs sought the Court's permission to conduct limited, formal discovery in advance of a Fed. R. Civ. P. 26(f) conference on January 24, 2008. On January 29, 2008, this Court granted Plaintiffs' request.

3. Since the Court's Order, Plaintiffs have propounded discovery on dozens of entities throughout the country for information relating to the identification of the defendants in this matter. This discovery effort has involved, *inter alia*, sending subpoenas to Internet service providers and conducting depositions where necessary.

4. Plaintiffs' efforts, while painstaking and necessarily time-consuming, have begun yielding results. One of Plaintiffs' subpoenas is the subject of a motion to quash before this Court brought by a defendant who calls himself "John Doe 21 *a/k/a* AK47." Oral argument on that motion is scheduled for May 5, 2008. As Plaintiffs explained in their opposition papers, Doe 21's motion to quash is moot because AT&T, the subpoenaed entity, has already complied with the subpoena. Respecting this Court's authority, however, Plaintiffs have *not* served Doe 21 with a subpoena for documents and deposition testimony, which is what they will do should the Court deny the motion to quash. Thereafter, Plaintiffs will seek the Court's leave to amend the complaint to replace the name of pseudonymous defendant "AK47" with Doe 21's real name. Because the Court has not yet ruled on Doe 21's motion to quash, Plaintiffs need additional time to serve the complaint on defendant AK47, should the Court deny his motion.

5. In addition, Plaintiffs are close to uncovering the identities of additional pseudonymous defendants in this case. Once Plaintiffs learn those defendants' real names, they will seek the Court's permission to amend the complaint to replace the pseudonymous AutoAdmit usernames with the defendants' real names, so that Plaintiffs may serve them with the complaint and proceed with their claims against them. In the interest of judicial economy, Plaintiffs would like sufficient time to uncover the identities of these additional pseudonymous defendants, before moving to amend.

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6. For the reasons stated above, Plaintiffs respectfully request an additional 60 days, or until June 21, 2008, to serve their complaint on the defendants identified by that date.

Dated: April 18, 2008

PLAINTIFFS DOE I AND
DOE II

By: /s/ Ashok Ramani
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CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing was mailed, first class, postage prepaid, on April 18, 2008, to:

Marc Randazza, Esq. Weston, Garrou, DeWitt & Walters 781 Douglas Ave. Altamonte Springs, FL 32714	<i>Attorney for Anthony Ciolli</i>
Leighton Cohen, Esq. 465 West Linden Street Allentown, PA 18102	<i>Attorney for Jarret Cohen</i>

In addition, a copy of the foregoing was sent via email on April 18, 2008, to:

[Redacted]	<i>Defendant AK47</i>
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/s/ Steve Mitra
Steve Mitra