

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

Case No: 2:13-cv-836-FtM-29CM

JOHN DOE,

Defendant.

ORDER

Before the Court is Plaintiff's First Motion for Extension of Time within Which It Has to Serve Defendant with a Summons and Complaint ("Motion") (Doc. 14), filed on March 27, 2014. Due to the pending motion to quash the third party subpoena in this case, Plaintiff requests an additional thirty (30) days during which to serve Defendant with a Summons and Complaint. The Motion does not include a certification pursuant to Middle District of Florida Local Rule 3.01(g) indicating whether Defendant opposes the requested relief.

The Court recognizes that Defendant's true identify is unknown at this stage in the litigation; however, Defendant has appeared through counsel for the limited purposes of attempting to quash the subpoena and seeking a protective order. The Motion must therefore be denied without prejudice to refile after the parties have met and conferred in accordance with the Local Rules.

ACCORDINGLY, it is hereby

ORDERED:

Plaintiff's First Motion for Extension of Time within Which It Has to Serve Defendant with a Summons and Complaint (Doc. 14) is **DENIED WITHOUT PREJUDICE.**

DONE and **ORDERED** in Fort Myers, Florida on this 31st day of March, 2014.


CAROL MIRANDO
United States Magistrate Judge

Copies:

Counsel of record