

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-20427-JORDAN

DISNEY ENTERPRISES, INC.,
TWENTIETH CENTURY FOX FILM CORPORATION,
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP,
COLUMBIA PICTURES INDUSTRIES, INC., and
WARNER BROS. ENTERTAINMENT INC.,

Plaintiffs,

v.

HOTFILE CORP., ANTON TITOV, and
DOES 1-10.

Defendants.

**[PROPOSED] ORDER ON PLAINTIFFS' MOTION FOR A
PROTECTIVE ORDER REGARDING PLAINTIFFS' ANTIPIRACY
INVESTIGATIONS AND ENFORCEMENT PROCEDURES**

Upon consideration of Plaintiffs' Motion for a Protective Order Regarding Plaintiffs' Antipiracy Investigations and Enforcement Procedures, all the papers submitted in support thereof:

The Motion is hereby GRANTED. The Court finds that there is good cause to issue the protective order forbidding inquiry into certain matters pursuant to Federal Rule of Civil Procedure 26(c), as the information for which Plaintiffs seek protection is not relevant to this action and any marginal relevance would be, in any event, outweighed by the potential prejudice to Plaintiffs of disclosure. The Court further finds that Plaintiffs consistently maintain the information sought in confidence, that the information represents substantial value to the Plaintiffs, that the information would be valuable to infringers, that Plaintiffs invest substantial

resources in its creation, and that it derives its value from that effort as well as from its secrecy, and that Defendants have failed to make a showing of necessity of the requested information to the claims at issue in this case.

1. It is hereby ORDERED, pursuant to Federal Rule of Civil Procedure 26(c), that the following information is protected from discovery:

- a. Plaintiffs' and their agents' methods for locating and identifying infringing files online;
- b. Plaintiffs' and their agents' strategies and criteria for issuing notifications of infringement;
- c. Plaintiffs' policies or decisions regarding the circumstances under which they issue notifications of infringement to online persons or properties, whether pursuant to 17 U.S.C. § 512(c)(3) or otherwise; and
- d. Plaintiffs' communications with and instructions to the agents who perform the tasks listed in paragraphs (a) through (c) on their behalf.

2. It is hereby FURTHER ORDERED that such protection shall extend to both party and third-party discovery, including but not limited to the subpoenas served by Defendants on DtecNet, Inc.; BayTSP, Inc.; Peer Media Technologies; OpSec Security Group plc; and MiMTiD Corp.

IT IS SO ORDERED.

Dated: _____, 2011

United States District Court Judge