

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

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OPENMIND SOLUTIONS, INC.,

CASE NO. 3:11-cv-00092-WDS -SCW

Plaintiff

Judge:

Magistrate Judge:

v.

DOES 1 – 2925,

Individually, and as Representatives of a class

Defendants

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**PLAINTIFF’S *EX PARTE* MOTION FOR LEAVE TO TAKE EXPEDITED  
DISCOVERY**

Plaintiff, through its undersigned counsel, hereby moves this Court *ex parte* for an Order granting expedited discovery. This motion is based upon the case record, attached memorandum and authorities cited therein, and the attached Affidavit of David Pfister. Plaintiff seeks to issue subpoenas pursuant to Fed. R. Civ. P. 45 limited to the following categories of entities and information:

From Internet Service Providers (ISPs) identified in the Exhibit A attached to the Complaint and any other entity identified as a provider of Internet services to one of the Doe Defendants in response to a subpoena or as a result of ongoing BitTorrent activity monitoring until the class is certified: information sufficient to identify each Defendant, including name, current (and permanent) address, telephone number, e-mail address, and Media Access Control address.

Any information disclosed to the Plaintiff in response to a Rule 45 subpoena will be used by the Plaintiff solely for the purpose of protecting Plaintiff’s rights as set forth in its Complaint.

For all the reasons articulated in the attached memorandum, Plaintiff respectfully asks the Court to grant this motion and enter an Order substantially in the form of the attached Proposed Order.

Respectfully submitted,  
OpenMind Solutions, Inc.

DATED: February 2, 2011

By: /s/ John Steele  
One of its Attorneys

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