UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Michigan Tractor and Machinery Co.,
A Michigan corporation d/b/a Michigan
CAT,

       Plaintiff,

v.   Case No. 13-15100

John Doe,

                                          Sean F. Cox
                                          United States District Court Judge

       Defendant.
_____/

ORDER
GRANTING PLAINTIFF'S MOTION FOR LEAVE TO SERVE A SUBPOENA
AND DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION FOR
ALTERNATIVE SERVICE

Plaintiff filed this action on December 16, 2013. On that same date, Plaintiff also filed

two motions: 1) an Ex-Parte Motion for Leave to Serve A Subpoena Before the Rule 26(f)

Conference (D.E. No. 3); and 2) an Ex-Parte Motion for Alternative Service (D.E. No. 4).

Plaintiff asks the Court to allow it to serve a subpoena prior to the Rule 26(f) conference so that

it can learn the identity of an individual with a specific IP address and e-mail address. Plaintiff's

motion states that it believes it will be able to discover Defendant John Doe's "true identity and

physical address" by serving the requested subpoena.

Having considered the motion, IT IS ORDERED that the Court hereby GRANTS

Plaintiff's Motion for Leave to Serve a Subpoena and shall issue the requested order.

IT IS FURTHER ORDERED that Plaintiff's Motion for Alternative Service is DENIED

1

WITHOUT PREJUDICE. Plaintiff may file an appropriate motion and proposed order[1], if

necessary, upon learning the identity of Defendant John Doe.

       IT IS SO ORDERED.

                             S/Sean F. Cox
                             Sean F. Cox
                             United States District Judge

Dated: January 9, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on
January 9, 2014, by electronic and/or ordinary mail.

                             S/Jennifer McCoy
                             Case Manager

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[1]The requested order would allow service to an e-mail address – without identifying the John Doe Defendant's name – and would order that "*Defendant* will be subject to a default judgment if he fails to plead or otherwise defend the action." (Proposed Order at 2) (emphasis added). But no default judgment could possibly be issued until the John Doe Defendant has been identified.