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8	UNITED STATES DISTRICT COURT	
9	DISTRICT OF NEVADA	
0 1 2	1 Plaintiff(s),) 2 vs.)	Case No. 2:17-cv-00114-APG-NJK ORDER GRANTING MOTION FOR DISCOVERY
3 4 5	4 DOES 1-23,) Defendant(s).)	(Docket No. 4)

16 Pending before the Court is Plaintiff's motion for leave to take limited discovery. Docket 17 No. 4. In particular, Plaintiff submits that it is suing each of the Defendants for using the Internet 18 and BitTorrent to commit direct and contributory copyright infringement and, since the alleged 19 infringement occurred over the Internet, Plaintiff knows the Defendants only by their Internet 20 Protocol ("IP") addresses. Id. at 2. Plaintiff therefore seeks an order allowing it to subpoen the Doe 21 Defendants' Internet Service Provider(s) ("ISP") for the true name, address, telephone number, email address, and Media Access Control address of each Doe Defendant in order to identify these 22 23 defendants 1-23. Id. at 6.

The Ninth Circuit has held that, where the identity of defendants is unknown prior to the
filing of a complaint, the plaintiff should be given an opportunity through discovery to identify the
unknown defendant, unless it is clear that discovery would not uncover the identities of the
defendants, or that the complaint would be dismissed on other grounds. *See Wakefield v. Thompson*,
177 F.3d 1160, 1163 (9th Cir. 1999) (citing *Gillespie v. Civiletti*, 629 F.2d 637, 642 (9th Cir. 1980)).

Accordingly, for good cause shown, the Court GRANTS Plaintiff's motion. Docket No. 4. Plaintiff may serve Rule 45 subpoenas upon the ISPs and any related intermediary ISPs that own the IP addresses at issue in the instant case. These subpoenas will demand solely the true name, address, telephone number, e-mail address, and Media Access Control address for the account holder to whom the relevant IP addresses were assigned at the date(s) and time(s) that the alleged infringement activity occurred. Plaintiff will use the information it obtains from the ISPs in response to these subpoenas solely to prosecute the claims it has made in the instant case. Plaintiff will have until February 24, 2017, to discover the actual names of the Doe Defendants through discovery, and to file a request to amend the complaint to provide the actual names of the Doe Defendants. IT IS SO ORDERED. Dated: January 13, 2017 NANCY J. KOPPE United States Magistrate Judge