

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DOMAIN VAULT, LLC, et al.,)	Case No. 2:18-cv-000185-JCM-CWH
)	
Petitioners,)	
)	
v.)	
)	
PRV, LTD.,,)	ORDER
)	
Respondent.)	
)	

Presently before the Court is Petitioners’ motion to quash (ECF No. 1), filed on February 1, 2018. On February 14, 2018, Petitioners filed a certificate of service (ECF No. 4), certifying that Respondent had been served with the motion. No party has filed a response. The petition, styled as a motion to quash, seeks an order to transfer the matter of Respondent’s subpoena to the Bankruptcy Court for the Eastern District of Texas, which issued the subpoena. Petitioners argue that the subject subpoena, served by Respondent PRV, LTD. upon Name.com, Inc., presents exceptional circumstances warranting transfer to the issuing Court.

Federal Rule of Civil Procedure 45(f) allows for transfer of a motion to quash a subpoena by a Court where compliance of the subpoena is sought, to the court that issued the subpoena. Such a transfer may be made upon a finding of exceptional circumstances. Here, Petitioners allege that Respondent is a vexatious litigant, and has no right to the subpoenaed material.

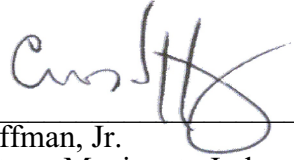
Under Local Rule 7-2(d), the “failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney’s fees, constitutes a consent to the granting of the motion.” As no response has been filed, the Court will grant the motion.

//
//
//
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS THEREFORE ORDERED that Petitioners' motion to quash (ECF No. 1) is GRANTED. The Clerk shall TRANSFER this motion to the Bankruptcy Court for the Eastern District of Texas.

DATED: March 8, 2018



C.W. Hoffman, Jr.
United States Magistrate Judge