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06 Civ. 5936 (KMW)(DF)

ORDER

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Under the circumstances, as described by the parties in their respective submissions, it is hereby ORDERED as follows:

1. Plaintiffs' request to seek expedited discovery from \third parties, relating to the source(s) of the pirated software, is granted, without objection from Defendants.

2. No later than November 19, 2010, Defendants are directed:

a. to report to the Court any results, as of that date, of their investigation as to the person(s) responsible for the piracy,

b. to inform Plaintiffs of the identity of such person(s), or, if still unknown, to produce to Plaintiffs (i) a list of all current and former employees of Defendants who, to Defendants' knowledge, have had possession or knowledge of the private key used to sign the LimeWire SIMPP file in the past year, and (ii) a list of all known LimeWire software developers, programmers, or other employees who, to Defendants' knowledge, would have been capable of excising the features that were removed from LimeWire 5.6 beta before it was redistributed as the LimeWire Pirate Edition (such lists to indicate whether each listed individual is a current employee or a former employee of Defendants, and, if the latter, the date of the employee's separation from Defendants), and

c. to produce to Defendants all documents referring or relating to the LimeWire Pirate Edition, or its creation, launch, and distribution.

3. The Court will hold a telephone conference on November 22, 2010, at 12:00 p.m., to address the extent to which additional discovery on this matter should proceed.

Dated: New York, New York
November 16, 2010

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies to:

all parties (via ECF)