

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**MALIBU MEDIA, LLC,**

**Plaintiff,**

**-v-**

**JOHN DOE,**

**Defendant.**

**Case No. 3:14-cv-378**

**Judge Thomas M. Rose**

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**ENTRY AND ORDER GIVING MALIBU UNTIL NOT LATER THAN  
NOVEMBER 11, 2014, TO PROVIDE PRIMA FACIE EVIDENCE OF  
OWNERSHIP OF COPYRIGHTS AT ISSUE**

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Malibu Media LLC (“Malibu”) previously filed four (4) cases in this Court alleging copyright infringement: Nos. 3:14:cv-150, 151, 184 and 185. In all four (4) of these cases, Malibu was asked to correct pleading problems before a Motion for Discovery was granted. Malibu corrected the problems, and those cases have proceeded.

Malibu has now filed three (3) more cases in this Court: Nos. 3:14-cv-371, 375 and 378. The same attorney represents Malibu in all seven (7) of these cases. The three (3) cases most recently filed suffer from one of the pleading problems that Malibu was asked to correct in the prior four (4) cases. Malibu is again asking for leave to seek discovery before the 26(f) Conference without providing prima facie evidence of ownership of the copyrights at issue.

By now, Malibu’s Attorney should understand that prima facie evidence of copyright ownership is necessary to obtain early discovery. Further, without the early discovery, the cases cannot presumably proceed. Therefore, Malibu is given until not later than November 11, 2014, to provide prima facie evidence of ownership of the copyrights at issue in this case. If Malibu is

unable to do so, this case will be dismissed.

**DONE** and **ORDERED** in Dayton, Ohio this Fourth Day of November, 2014.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record