1

2

3

4

5

6   UNITED STATES DISTRICT COURT
                          WESTERN DISTRICT OF WASHINGTON
7   AT SEATTLE

8   ZEMBEZIA FILM LTD.,

9   Plaintiff,

10   v.   Case No. C13-0312JLR-RSL

11   DOES 1 - 70,   ORDER GRANTING LEAVE FOR
                                               PRELIMINARY DISCOVERY
12   Defendants.

13

14

15   This matter comes before the Court on plaintiff's "Motion for Leave to

16   Take Discovery Prior to Rule 26(f) Conference." Dkt. # 4. Because plaintiff cannot

17   identify the Doe defendants without taking discovery from internet service providers

18   regarding each defendant's IP address, plaintiff's motion is GRANTED.

19   Plaintiff may initiate discovery, including the issuance of subpoenas under

20   Fed. R. Civ. P. 45, on internet service providers seeking information sufficient to identify

21   each Doe defendant, including his or her name, address, email address, and Media Access

22   Control address. An internet service provider ("ISP") served with a subpoena authorized

23   by this Order shall give written notice, which includes email notice, and a copy of the

24   subpoena to any affected subscriber(s) as soon as possible after service of the subpoena.

25   The ISP and/or any affected subscriber(s) shall have thirty (30) days from the date of

26

ORDER GRANTING LEAVE FOR
PRELIMINARY DISCOVERY - 1

1   service of the subpoena on the ISP to object to the subpoena pursuant to Fed. R. Civ. P.

2   45(c)(2)(B). The ISP shall not disclose defendants' identifying information during the

3   30-day period or if a timely objection is served unless and until the Court orders it to do

4   so. If an objection is served, the ISP shall preserve any material responsive to the

5   subpoena for a period of six months in order to allow plaintiff to move for an order

6   compelling production under Fed. R. Civ. P. 45(c)(2)(B)(i). If no objection is served, the

7   ISP shall comply with the subpoena within ten (10) days.

8

9   Plaintiff shall provide a copy of this Order with each subpoena issued

10   pursuant thereto.

11

12   Dated this 25th day of February, 2013.

13   _MM S Lasnik_

14   Robert S. Lasnik
                     United States District Judge

15

16

17

18

19

20

21

22

23

24

25

26