

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

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ME2 PRODUCTIONS, INC.,

Plaintiff,

v.

DOES 1 - 9,

Defendants.

Case No. C17-0783RSL

ORDER GRANTING LEAVE FOR
PRELIMINARY DISCOVERY

This matter comes before the Court on plaintiff’s “Ex Parte Motion for Expedited Discovery” in the above-captioned matter. Dkt. # 5. Because plaintiff cannot identify the Doe defendants without taking discovery from internet service providers regarding each defendant’s IP address, plaintiff’s motion is GRANTED.

Plaintiff may initiate discovery, including the issuance of subpoenas under Fed. R. Civ. P. 45, on internet service providers seeking information that would allow service on the Doe defendants, limited to his or her name, address, and email address.¹ An internet service provider (“ISP”) served with a subpoena authorized by this Order shall give written notice, which includes email notice, and a copy of the subpoena to any affected subscriber(s) as soon as possible after service of the subpoena and shall provide plaintiff

¹ The Court has not authorized discovery of telephone numbers. If it has not already done so, plaintiff shall alter its form subpoena.

1 with the date(s) upon which notice was provided to each affected subscriber. The ISP
2 and/or any affected subscriber(s) shall have thirty (30) days from the date the subscriber
3 is notified of the subpoena to object to the production pursuant to Fed. R. Civ. P.
4 45(d)(2)(B). Any objection must be in writing and sent to the ISP and to David A. Lowe,
5 Lowe Graham Jones PLLC, 701 Fifth Ave., Suite 4800, Seattle, WA 98104.

6 The ISP shall not disclose defendants' identifying information before or during the
7 30-day period or if a timely objection is served on plaintiff or its counsel unless and until
8 the objection is overruled. If an objection is served, the ISP shall preserve any material
9 responsive to the subpoena for a period of sixty (60) days in order to allow plaintiff to
10 move for an order compelling production under Fed. R. Civ. P. 45(d)(2)(B)(i). If no
11 objection is served, the ISP shall comply with the subpoena within ten (10) days.

12
13 Plaintiff shall provide a copy of this Order with each subpoena issued pursuant
14 thereto.

15
16 Dated this 23rd day of May, 2017.

17 

18 _____
19 Robert S. Lasnik
20 United States District Judge
21
22
23
24
25
26