

1 HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 PAPER STREET MEDIA, LLC,

11 Plaintiff,

v.

12 MW MEDIA,

13 Defendant.

CASE NO. C17-5311-RBL

ORDER ON LIMITED EARLY
DISCOVERY

DKT. #16

14 THIS MATTER is before the Court on Plaintiff Paper Street Media's *Ex Parte* Motion
15 for Early Discovery [Dkt. #16]. Paper Street asks for limited discovery to ascertain the identities
16 of all owners and operators of Eporner.com and Eprncdn.com, websites it alleges have infringed
17 its pornographic videos by duplicating and distributing them without prior authorization. Paper
18 Street has shown the defendants are real persons or entities, that it cannot identify them without
19 early discovery, and that its suit could possibly withstand a motion to dismiss. *See Columbia Ins.*
20 *Co. v. Seescandy.com*, 185 F.R.D. 573, 578–80 (N.D. Cal. 1999) (setting forth a test describing
21 when a court could permit discovery prior to a Rule 26(f) conference for the purpose of
22 identifying anonymous defendants). Paper Street, therefore, may serve discovery demands on
23 WhoisProxy.com, Moniker.com d/b/a Key-Systems GmbH, Domains By Proxy LLC,

1 GoDaddy.com LLC, Copyright Agent c/o Incorporate Now, and PayPal Holdings Inc. for
2 information identifying their customers—Eporner.com's and Eprncdn.com's owners and
3 operators. At this time, Paper Street may not serve discovery on Internet Service Providers for IP
4 addresses used to access the Defendants' sites, as such discovery goes beyond identifying the
5 Defendants. Paper Street's Motion [Dkt. #16] is GRANTED IN PART AND DENIED IN
6 PART.

7 IT IS SO ORDERED.

8 Dated this 31st day of August, 2017.

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11 Ronald B. Leighton
12 United States District Judge