

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	X	
MALIBU MEDIA, LLC,	:	
	:	
Plaintiff,	:	Civil Action No. <u>2012-2078</u>
	:	
vs.	:	Consolidated from Cases:
	:	2:12-cv-02078-MMB
JOHN DOES 1, 6, 13, 14, and 16,	:	2:12-cv-02084-MMB
	:	5:12-cv-02088-MMB
Defendants.	:	
	:	
	X	

**MOTION FOR THE ENTRY OF AN ORDER REQUIRING
DEFENDANTS TO SIGN CONSENT FORM**

Plaintiff, Malibu Media, LLC (“Plaintiff”), moves for entry of an order requiring John Does 1, 14, and 16 to sign the consent forms enabling the release of their search history and ISP subscriber records, and states:

1. Plaintiff has served third party subpoenas *duces tecum* for 30(b)(6) depositions on Defendants’ ISPs, Comcast and Verizon, and on Internet search engines Google, AskJeeves, Yahoo, and Bing.

2. The search engines have made several objections regarding Plaintiff’s subpoenas. After good faith conferences with the search engines, Plaintiff agreed to narrow the scope of the discovery. However, before any information is released to Plaintiff, Plaintiff must obtain Defendants’ consent for the ISPs to release Defendants’ search history.

3. The ISPs have also requested Plaintiff obtain either a Court order or the Defendants’ consent in order to comply with Plaintiff’s subpoena. Although Plaintiff has

received a Court order, for the avoidance of doubt, Plaintiff wants to provide the ISPs with Defendants' consent as well.

4. Plaintiff has also provided Defendants with a consent form, authorizing the ISPs to produce the subpoenaed information to Plaintiff.

WHEREFORE Plaintiff respectfully requests that the Court enter an order requiring Defendants to sign the two consent forms authorizing the release of search engine history and ISP subscriber records and return it to Plaintiff. A proposed order is attached hereto for the Court's convenience.

Dated: March 12, 2013

Respectfully submitted,

By: /s/ M. Keith Lipscomb

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CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ M. Keith Lipscomb

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