

NEW SENSATIONS, INC.

Plaintiff

v.

DOES 1-1,474

Defendants

IN THE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Case No.: C 11-2770 MEJ

FILED
2011 DEC 19 P 2 59
FEDERAL DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOTION TO DISMISS, OR IN THE ALTERNATIVE TO QUASH SUBPOENA



Comes now Defendant Jane Doe (ISP 71.179.239.110) (hereinafter "Defendant") and respectfully represents as follows:

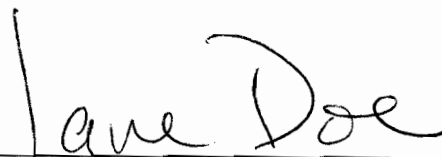
MC

1. Defendant has not yet been served with any process, complaint, summons, or any process regarding this matter.
2. Defendant does NOT consent to the jurisdiction of this Honorable Court, the United States District Court for the Northern District of California.
3. Defendant has no minimal contact or connection whatsoever with the state of California.
4. This Honorable Court lacks personal jurisdiction over Defendant.
5. Plaintiff New Sensations, Inc. issued a subpoena to Verizon Internet Services on September 26, 2011, commanding Verizon to release the name, address, telephone number, and email address of ISP subscribers through identified IP addresses.

6. The release of Defendant's the name, address, telephone number, and/or email address based on her IP address would constitute a violation of Defendant's privacy.
7. Furthermore, the issuance of this subpoena is merely Plaintiff's "fishing expedition" for defendants.

WHEREFORE, Defendant Jane Doe (71.179.239.110) respectfully requests the following relief:

- A. That Plaintiff's case be DISMISSED.
- B. That Plaintiff's subpoena to Verizon Internet Services be QUASHED.
- C. For such other and further relief as the nature of her cause may require.



JANE DOE, ISP 71.179.239.110
c/o Verizon Legal Compliance
Custodian of Records
P.O. Box 1001
San Angelo, TX 76902


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of December 2011, a copy of the foregoing Motion to Dismiss, or in the Alternative to Quash Subpoena, was sent via first-class U.S. Mail, postage pre-paid to:

Ira M. Siegel
433 N. Camden Drive, Suite 970
Beverly Hills, CA 90210-4426
Attorney for Plaintiff

&

Verizon Legal Compliance
P.O. Box 1001
San Angelo, TX 76902



Jane Doe, ISP #71.179.239.110