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10 IN THE UNITED STATES DISTRICT COURT FOR THE
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 HARD DRIVE PRODUCTIONS, INC.,)
14 Plaintiff,)
15 v.)
16 JOHN DOE,)
17 Defendant.)

18 **Case No. 11-CV-5634 PJH**

19 **ORDER GRANTING PLAINTIFF’S**
20 **APPLICATION FOR LEAVE TO TAKE**
21 **EXPEDITED DISCOVERY TO IDENTIFY**
22 **JOHN DOE**

23 The Court has reviewed the Plaintiff’s Application for Leave to Take Expedited Discovery to
24 Identify John Doe, and the relevant case law.

25 Based upon the foregoing review, the Plaintiff’s Application for Leave to Take Expedited
26 Discovery to Identify John Doe is **GRANTED** as follows:

- 27 1. Plaintiff may immediately serve a deposition subpoena on Seth Abrahams (“Abrahams”).
- 28 2. If Abrahams’ deposition testimony does not reveal the infringer’s identity, or at least allow Plaintiff to name the Doe Defendant in this matter, then Plaintiff should direct any further discovery requests at this Court, and specifically brief the Court on how proposed further discovery may lead to Plaintiff identifying the Doe Defendant.
3. If Abrahams’ deposition testimony sufficiently enables Plaintiff to name a Doe Defendant in this case, Plaintiff shall do so.

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4. Any information disclosed to the Plaintiff in response to a Rule 45 subpoena may be used by the Plaintiff solely for the purpose of protecting Plaintiff's rights as set forth in its Complaint.
5. If Abrahams wishes to move to quash any subpoena issued pursuant to this Order, he must do so within 10 days of being served with the subpoena.
6. Abrahams shall preserve any information, tangible thing, or ESI related to the subpoenas issued under this Order pending the resolution of any timely-filed motion to quash.

IT IS SO ORDERED.

Dated: 2/13/12

