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4 *Attorney for Plaintiff*

5
6 IN THE UNITED STATES DISTRICT COURT FOR THE
7
8 NORTHERN DISTRICT OF CALIFORNIA
9
10 OAKLAND DIVISION

11 HARD DRIVE PRODUCTIONS, INC.,) **No. C-11-03827 LB**
12) **RULE 26(f) REPORT**
13 Plaintiff,)
14 v.)
15 JOHN DOE,)
16 Defendant.)

17 **RULE 26(f) REPORT**

18 Plaintiff Hard Drive Productions, Inc., by and through its counsel, hereby submits this Rule
19 26(f) Report pursuant to the Court’s Order Setting Initial Case Management Conference and ADR
20 Deadlines (Doc. No. 3), Federal Rules of Civil Procedure (hereinafter “FRCP”) Rules 26(a)(1) and
21 26(f), and Northern District of California Civil Local Rule (hereinafter “L.R.”) 16-9(a):

22 **1. Individuals Likely to Have Discoverable Information:**

- 23
- 24 • Paul Pilcher, CEO of Hard Drive Productions, Inc.
 - 25 • Peter Hansmeier – 161 North Clark Street, Suite 3200, Chicago, Ill., 60601.
 - 26 • Person Most Knowledgeable (“PMK”) at Internet Service Providers in their Subpoena
27 Department – Custodian of Records.
28

- 1 • Seth Abrahams – Account Holder of 98.248.90.217 – 731 Catalina Drive, Livermore,
2 CA 94550.
- 3 • Doe 1 – Identifying Information Currently Unknown.¹
- 4 • Plaintiff reserves the right to add to this list of individuals identified as necessary in
5 the future.
- 6

7 **2. Documents, Electronically Stored Information, and Tangible Things:**

- 8 • Physical Documents – Plaintiff’s copyright records.
- 9 • Electronically Stored Information – BitTorrent auditor, forensic information
10 demonstrating infringing activity over the BitTorrent.

11 **3. Projected Discovery Timelines:**

12 At this point, any projected timelines are premature for reasons explained in Plaintiff’s Case
13 Management Conference Statement. (See ECF No. 12).

14 **4. Subjects on Which Discovery, Including Electronic Discovery, Will be Needed:**

15 While further discovery may be necessary to identify the infringer after Plaintiff conducts the
16 scheduled deposition, this potential further need cannot be determined until after the deposition.
17 First things first: Plaintiff will take Mr. Abrahams’ deposition, and, afterwards, see whether further
18 pre-service discovery is needed.

19 **5. Objections:**

20 Plaintiff objects to the Court requiring Plaintiff to make any projected deadlines in this case
21 at this time.

22 **6. Discovery Motion Currently Pending:**

23 N/A.

24 ///

25 _____
26
27
28 ¹ Whether Doe 1 and the Account Holder of IP Address 98.248.90.217 are one and the same is unknown at this point.

1 **7. Other Issues:**

2 N/A.

3
4 Respectfully Submitted,

5
6 PRENDA LAW INC.,

7 **DATED: February 23, 2012**

8 By: /s/ Brett L. Gibbs, Esq.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 23, 2012, all individuals of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document, and all attachments and related documents, using the Court's ECF system, in compliance with Local Rule 5-6 and General Order 45.

/s/ Brett L. Gibbs
Brett L. Gibbs, Esq.