

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MILLENNIUM TGA, INC.,)	
)	Case No.: 1:12-mc-00150-RLW-AK
Plaintiff,)	
)	Judge : Hon. Robert L. Wilkins
v.)	
)	Magistrate Judge: Hon. Alan Kay
)	
JOHN DOE,)	[Case pending in the U.S. District Court
)	for the Southern District of Texas,
Defendant.)	No. 4:11-cv-4501]
_____)	

PLAINTIFF’S MOTION FOR AN IMMEDIATE TELEPHONIC HEARING

Plaintiff’s counsel has just been informed that Comcast’s counsel contacted the Court *ex parte* yesterday to advocate on pending matters in this miscellaneous action. Immediately after the unannounced *ex parte* advocacy concluded, Comcast’s motion for a stay was granted and Plaintiff’s motion to strike was denied. Plaintiff’s counsel is gravely troubled by the appearance of yesterday’s events.

Plaintiff’s counsel respectfully requests an immediate telephonic hearing on all matters currently pending before the Court so that it may contain the damage caused by Comcast’s *ex parte* advocacy and have an equal opportunity to present its case. Plaintiff has the utmost respect for the Court and does not believe that the Court’s relationship with Mr. Seiver would have any impact on the Court’s decision-making process. However, as a zealous advocate for its client, Plaintiff’s counsel can hardly allow this startling development to go unchallenged.

It bears mentioning that Comcast’s grand strategy in this miscellaneous action is to paint Plaintiff as abusive of the legal process. To be sure, no federal court has ever come close to ruling that a nonparty, like Comcast, has standing to raise joinder and personal jurisdiction

defenses on behalf of its subscribers. Yesterday's developments suggest that Comcast is not well suited to cast the first stone.

Respectfully submitted,

MILLENNIUM TGA, INC.

DATED: June 14, 2012

By: /s/ Paul A. Duffy
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 14, 2012, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system.

/s/ Paul A. Duffy
PAUL A. DUFFY