
**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

POPLAR OAKS, INC.,)
)
 Plaintiff,) Civil Case No.: 15-cv-60281-WJZ
)
 v.)
)
 JOHN DOE subscriber assigned IP address)
 75.74.184.31,)
)
 Defendant.)
)

**PLAINTIFF'S FIRST MOTION FOR EXTENSION OF TIME
WITHIN WHICH IT HAS TO SERVE DEFENDANT
WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Poplar Oaks, Inc., moves for entry of an order extending the time within which Plaintiff has to serve John Doe Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their Internet service provider ("ISP").

2. On February 17, 2015, Plaintiff was granted leave to serve a Third Party Subpoena onto the Defendants ISP. On February 17, 2015, Plaintiff issued a subpoena to the ISP and expected to receive a response on April 8, 2015.

3. On April 7, 2015, the Defendant filed a Pro- Se Motion to Quash or Motion to Vacate Subpoena [CM/ECF 7]. Said Motion to Quash was denied by the Court on April 28, 2015.

4. On May 6, 2015, Plaintiff forwarded the Courts Order denying Defendant's Motion to Quash to Kate Ford, Comcast Subpoena Specialist. Plaintiff did not receive a response and forwarded the Order denying Motion to Quash to Rebecca Carroll, a Copyright Analyst over at Comcast. On May 11, 2015, the Defendant re-filed his Motion to Quash [CM/ECF11]. The Court once more denied the Defendants Motion to Quash on May 28, 2015.

5. Plaintiff re-submitted the Order denying the Motion to Quash to the ISP. Upon receipt of the ISP's response, Plaintiff will work expeditiously to investigate the Information provided and name the appropriate party.

6. Pursuant to Rule 4(m), Plaintiff is required to serve the Defendant with a Summons and Complaint by June 10, 2015.

7. Procedurally, Plaintiff respectfully requests that the time within which it must effectuate service of a summons and Complaint on the Defendant be extended forty five (45) days or until July 25, 2015.

8. This extension will allow time for the Clerk to issue a Summons and effectuate service upon the Defendant.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the John Doe Defendant be extended forty five (45) days or until July 25, 2015 to serve the Defendant. A proposed order is attached for the Court's convenience.

Dated: June 9, 2015

Respectfully submitted,
By: /s/ M. Keith Lipscomb
M. Keith Lipscomb (429554)
klipsomb@lebfirm.com
LIPSCOMB, EISENBERG & BAKER, PL
2 South Biscayne Blvd., Penthouse 3800
Miami, FL 33131
Telephone: (786) 431-2228
Facsimile: (786) 431-2229
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2015, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ M. Keith Lipscomb