UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA

4:TWENTY MEDIA INC.,) CIVIL ACTION
) No. 6:12-CV-00031
)
)
	Plaintiff,	
V.) JUDGE DOHERTY
)) MAGISTRATE JUDGE HILL
JOHN DOE - 71.101.4.72, ET AL.)
)

Defendants.

MOTION TO QUASH OR, IN THE ALTERNATIVE, MOTION TO DISMISS AND SEVER

COMES NOW Movant, an individual John Doe - 71.101.4.72 purportedly implicated by one of the Internet Protocol addresses attached to Plaintiff's Complaint, and respectfully submits this Motion to Quash the subpoena issued by Plaintiff and delivered to Movant through Movant's Internet Service Provider, Verizon, pursuant to Fed. R. Civ. P. 45(c)(3). The subpoena being contested was issued pursuant to the Court's January 24, 2012 Order Granting Plaintiff's Motion for Leave to Take Discovery Prior to Rule 26(f) Conference (Doc. No. 6).

In the alternative, Movant seeks to be severed from this action pursuant to Fed. R. Civ. P. 21 because this Court lacks personal jurisdiction over Movant and Movant has been improperly joined pursuant to Fed. R. Civ. P. 20(a)(2). In support of this motion, Movant relies on this motion, the contemporaneously filed Memorandum in Support and supporting affidavit, as well as oral argument if required by this Honorable Court.

WHEREFORE, Movant respectfully requests that this Honorable Court grant its motion to quash plaintiff's complaint, or in the alternative, grant its motion to dismiss plaintiff's complaint or severed from this action, and for such other and further relief, at law or in equity, to which Movant may be justly entitled.

Respectfully submitted this 27th day of April 2012.

D.W. NANCE, LLC

By: s/David W. Nance

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COUNSEL FOR DEFENDANT, JOHN DOE – 71.101.4.72

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on the persons listed below on this 27th day of April 2012.

Via ECF filing or electronic mail:

Christina N Boffen Law Office of Christina N Boffen 216 N Crain Hwy Ste 202A Glen Burnie, MD 21061 410-718-2929 410-747-3741 (fax) cboffen@gmail.com Assigned: 04/20/2012 PRO HAC VICE ATTORNEY TO BE NOTICED	representing	John Doe #899 68.34.92.184 (<i>Defendant</i>)
William Scarth Clark Best Koeppel 2030 St Charles Ave New Orleans, LA 70130 504-598-1000 504-524-1024 (fax) sclark@bestkoeppel.com <i>Assigned: 04/17/2012</i> <i>ATTORNEY TO BE NOTICED</i>	representing	John Doe #899 68.34.92.184 (Defendant)
Paul A Lesko Simmons Browder et al One Court St Alton, IL 62002 618-259-2222 618-259-2251 (fax) plesko@simmonsfirm.com Assigned: 01/26/2012 LEAD ATTORNEY ATTORNEY TO BE NOTICED	representing	4 Twenty Media Inc (<i>Plaintiff</i>)
Joseph C Peiffer Fishman Haygood et al	representing	4 Twenty Media Inc (<i>Plaintiff</i>)

201 St Charles Ave Ste 4600 New Orleans, LA 70170 504-586-5252 504-586-5250 (fax) jpeiffer@fishmanhaygood.com *Assigned: 01/11/2012 TERMINATED: 03/07/2012*

s/ David W. Nance

David W. Nance