

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

CINITEL FILMS, INC., et al
Plaintiff,

Civil Action No. 8:11-cv-02438-JFM

vs.

MOTION TO QUASH OR MODIFY
SUBPOENA

DOES 1-1052,
Defendants.

FILED ENTERED
LODGED RECEIVED

DEC 21 2011

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND DEPUTY
BY

MOTION TO QUASH OR MODIFY SUBPOENA

Defendant Doe no. 122 moves for an order quashing the subpoena served upon Comcast Cable Communications as it pertains to Doe no. 122 on the grounds that

- (1) the subpoena fails to state the court from which the subpoena was issued, and the court in which it is pending, in violation of Rule 45(a)(1)(A), Federal Rules of Civil Procedure, and is therefore defective on its face and fails to establish jurisdiction over Comcast Cable Communications or Defendants.
- (2) Subpoena must be quashed under Rule 45(c)(3)(A)(ii), as it requires the Custodian of Records for Comcast Cable Communications, located in Moorestown, New Jersey, to produce documents at the office of Plaintiff's counsel in Baltimore, Maryland, which is over 130 miles

away from where Comcast Cable Communications Custodian of Records resides, is employed, or regularly transacts business in person.

- (3) Subpoena must be quashed under Rule 45(c)(3)(A)(ii) because it subjects Doe Defendant no. 122 to undue burden, in that his name will be revealed to Plaintiff, resulting in the invasion of Defendant's privacy, and causing Defendant to defend himself in an action more than 100 miles from defendant's home.

Therefore, Doe Defendant requests that the subpoena be quashed, declared invalid, or otherwise vacated.

Dated 12/19/2011

Respectfully Submitted

Defendant Doe no.122

CERTIFICATE OF SERVICE

I hereby certify that on 12/17/2011, I served a copy of the foregoing document, via US Mail, on:

Thomas M. Dunlap

Dunlap, Grubb, and Weaver, PLLC.

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