

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

MALIBU MEDIA, LLC,

*

Plaintiff,

*

CASE NO. 8:13-cv-00360-RWT

v.

*

**JOHN DOE subscriber assigned IP address
68.50.250.243,**

*

Defendant.

*

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

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, 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 2, 2013, Plaintiff filed a Motion for Leave to Serve Third Party Subpoena on Defendant's ISP for the purpose of obtaining the Defendant's true identity [CM/ECF 4]. To date, the Court has not entered a ruling on Plaintiff's Motion.

3. Since on or about March 1, 2013, the Court's consideration of Plaintiff's Motion for Leave has been stayed while the Court determines the procedures through which a special master will oversee Plaintiff's cases.

4. Pursuant to Rule 4(m), Plaintiff was required to effectuate service on Defendant by last Saturday, June 1, 2013. As Plaintiff does not know the Defendant's true identity, it was unable to effectuate service on the Defendant by the deadline.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the John Doe Defendant be extended until sixty (60) days after the Court enters a ruling on Plaintiff's Motion for Leave to Serve Third Party Subpoena [CM/ECF 4]. A proposed order is attached for the Court's convenience.

Dated: June 3, 2013

Respectfully submitted,

MALIBU MEDIA, LLC.
PLAINTIFF

By: /s/Jon A. Hoppe
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Counsel
Maddox, Hoppe, Hoofnagle &
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CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2013, 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/Jon A. Hoppe