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Honorable Judge Thomas O. Rice

6 Attorneys for Defendant
7 Doe No. 18 (a.k.a. 67.185.1.86)

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF WASHINGTON

10 THE THOMPSONS FILM, LLC,)
11) No. CV-13-126-TOR
12 Plaintiff,)
13 vs.) **DOE #18 REQUEST FOR**
14) **JUDICIAL NOTICE IN**
DOES 1 – 35,) **SUPPORT OF MOTION TO**
15) **QUASH, SEVER AND DISMISS**
16 Defendants.)
17)

18 Pursuant to Federal Rule of Evidence 201 and the authorities cited below,
19 Doe #18 (a.k.a. 67.185.1.86) respectfully requests that this Court take judicial
20 notice of the following materials:

21 A. Magistrate Ruling, U.S. District Court, Eastern District for New
22 York, *In Re Bit Torrent Adult Film Copyright Infringement Cases*, Order and
23 Recommendation, Case 2:11-CV-03995-DRH-GRB, Docket # 39

24 B. District Judge Ruling, *Safety Point Products, LLC et al.,*
Plaintiffs v. DOES 1-14, DOES 15-96, DOES 97-177, & DOES 178-197,

1 Defendants, Case Nos 1:12-CV-2812, 1:12-CV-2820;1:12-CV-2831; 1:12-
2 CV-2894, OPINION & ORDER date April 4, 2013

3 C. Magistrate Ruling, *On the Cheap, LLC v. Does 1-5011*, U. S.
4 District Court, Northern District of California, Case No. C-10-4472 BZ,
5 Docket # 66.

6 D. Magistrate Ruling, *AF Holdings v. Does 1-96*, U. S. District
7 Court, Northern District of California, Case No. C-11-03335 JSC, Docket #
8 14, Order Denying Without Prejudice Plaintiff's Request for Discovery Prior
9 to Rule 26(f) Conference.

10 E. Order to Show Cause, *Voltage Pictures v. various John Does*,
11 6:13-CV-290AA, 2:13-CV-292AA, and 1:13-cv-295AA (D.C. Oregon, April
12 10, 2013.

13 F. Order to Show Cause, *The Thompsons Film, LLC, vs. Does 1-
14 194*, Western District of Washington, Cause No. 2:13-0560 RSL, May 9,
15 2013.

16 G. The first pages of the results of Google Search for the phrase
17 "hacking wifi networks" and a few printed pages one of the underlying
18 articles.

19 A district court may take judicial notice of facts that are "not subject to
20 reasonable dispute in that [they are] either: (1) generally known within the
21 territorial jurisdiction of the trial court or (2) capable of accurate and ready
22 determination by resort to sources whose accuracy cannot reasonably be
23

1 questioned.” Fed. R. Evid. 201(b); see also *Limestone Dev. Corp. v. Vill. of Lemont*,
2 473 F. Supp. 2d 858, 868 (N.D. Ill. 2007) (taking judicial notice of state court
3 litigation because “[j]udicial notice is premised on the concept that certain facts or
4 propositions exist which a court may accept as true without requiring additional
5 proof from the opposing parties”). Further, the Federal Rules of Evidence require a
6 court to take judicial notice of a matter “if requested by a party and supplied with
7 the necessary information.” Fed. R. Evid. 201(d); see also, *In re Ravisent Techs.,*
8 *Inc. Sec. Litig.*, No. 00-CV-1014, 2004 U.S. Dist. LEXIS 13255, at *2 (E.D. Pa.
9 July 12, 2004).

10
11 Exhibits A-F are all orders from United States Federal District Courts. It is
12 well-established that a court may take judicial notice of matters of public record.
13 *Opoka v. I.N.S.*, 94 F.3d 392, 394 (7th Cir. 1996) (“Indeed, it is a well-settled
14 principle that the decision of another court or agency, including the decision of an
15 administrative law judge, is a proper subject of judicial notice.”); *Berg v. United*
16 *Steelworkers of Am., Local 3733, No. 98-308*, 1998 U.S. Dist. LEXIS 4518, at *19-
17 20 (E.D. Pa. April 8, 1998) (citing 5A Charles Alan Wright & Arthur R. Miller,
18 *Federal Practice and Procedure*, Civil 2d § 1357 (1990) (“matters of public record
19 ... may also be taken into account”). Specifically, federal courts may take judicial
20 notice of proceedings in other courts, both within and outside of the federal judicial
21 system, if those proceedings have a direct relation to matters at issue. *Allen v. City*
22 *of Los Angeles*, 92 F.3d 842 (9th Cir. 1992).

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of June, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System. Notice of this filing will be sent to the parties listed below by operation of the Court's electronic filing system unless otherwise specified. Parties may access this filing through the Court's system.

Maureen C. VanderMay court@vandermaylawfirm.com	<input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand-Delivered <input type="checkbox"/> Fed Ex <input type="checkbox"/> Facsimile Transmission <input checked="" type="checkbox"/> Electronic Notification
John Doe 27	Counsel has reviewed ECF/PACER and no contact information can be found for John Doe 27 and, therefore, this document was not served.
John Doe 3	Counsel has reviewed ECF/PACER and no contact information can be found for John Doe 3 and, therefore, this document was not served.
John Doe #5 JohnDoe_05@yahoo.com	Counsel has reviewed ECF/PACER and no contact information can be found for John Doe 5, however, an email address was provided in his Memorandum of Law (ECF Dkt #8) and, therefore, this document was served electronically.

DATED at Spokane, Washington this 5th day of June, 2013.

By: /s/ Gregory S. Johnson
GREGORY S. JOHNSON
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Attorneys for Defendant

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Doe No. 18 a.k.a. 67.185.1.86

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