

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

FILED _____ ENTERED _____
LOGGED _____

FEB - 2 2012

BY _____
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND DEPUTY

NU IMAGE, INC.
Plaintiff,

V.

DOES 1-4165
(DOE #458)
Defendant.

:
:
: CIVIL ACTION NO. DKC 11-2736
:
:

**Note: DOE #458, IP ADDRESS: 76.30.67.59

MOTION FOR ~~(NONPARTY)~~ (DOE #458) TO QUASH SUBPOENA

~~(Nonparty)~~ DOE #458, [REDACTED], does hereby respectfully request that this Court quash the subpoena served upon Comcast requesting the personal information of DOE #458. This request is pursuant to Fed. R. Civ. P. 45.

As grounds therefore, DOE #458 states as follows:

1. DOE #458, [REDACTED], lives and works in the state of Texas. DOE #458 is NOT located within, or works within, Maryland or within 100 miles of this Court.

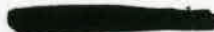
2. The purported subpoena does not set forth a place for responding thereto that is within 100 miles of the residence or workplace of DOE #458, [REDACTED], as required by Fed. R. Civ. P. 45(c)(3)(B)(iii).

3. For both reasons above, the subpoena is invalid. Out of an abundance of caution, DOE #458, [REDACTED], is filing the within motion rather than simply ignoring the invalid subpoena as Rule 45 would permit to do.

Conclusion

The subpoena to Comcast requesting personal information of DOE #458 must be quashed because it violates the geographical limitations of Rule 45. It is improper to impose on this party the undue burden of this subpoena. Please remove DOE #458 from the subpoena.

Respectfully Submitted,



Dated: 1-26-2012

CONTACT INFO

