

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Michael J. Watanabe**

**Civil Action No.** 11-cv-01653-CMA-MJW

FTR - Courtroom A-502

**Date:** September 07, 2011

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

K-BEECH, INC.,

Jason A. Kotzker

Plaintiff(s),

v.

JOHN DOES 1-35,

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Defendant(s).

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**COURTROOM MINUTES / MINUTE ORDER**

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**HEARING: MOTION HEARING**

**Court in Session:** 8:00 a.m.

Court calls case. Appearance of counsel.

**11-cv-02162-REB-MJW** and **11-cv-01653-CMA-MJW** are called at the same time as both cases involve similar parties and claims and are similarly postured. Therefore,

**It is ORDERED:** The Motion Hearing set September 07, 2011 at 1:30 p.m. in 11-cv-01653-CMA-MJW is vacated as the case is addressed at this time.

**It is ORDERED:** **On or before SEPTEMBER 12, 2011**, Plaintiff shall file its legal brief showing legal authority / case law which supports filing just one law suit instead of separate law suits against this many John Does.

It is noted Plaintiff has filed Notices of Voluntary Dismissal Without Prejudice of certain Doe defendants.

**It is ORDERED:** Plaintiff's MOTION / NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DOE 7 ONLY [Docket No. **23** and Docket No. **24**, both filed September 02, 2011] are **GRANTED** for reasons as set forth on the record. Defendant **JOHN DOE 7** is dismissed without prejudice.

**It is ORDERED:** As JOHN DOE 7 is now dismissed, the MOTION TO QUASH OR MODIFY SUBPOENA filed by "John Doe #7" [Docket No. **17**, filed August 17, 2011] is **DENIED AS MOOT** for reasons as set forth on the record.

**It is ORDERED:** Plaintiff's NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DOE 14 ONLY [Docket No. **25**, filed September 02, 2011] is accepted by the Court and defendant **JOHN DOE 14** is dismissed without prejudice.

**It is ORDERED:** As JOHN DOE 14 is now dismissed, the MOTION TO QUASH OR MODIFY SUBPOENA filed by "John Doe 14" [Docket No.**21**, filed August 24 , 2011] is **DENIED AS MOOT** for reasons as set forth on the record.

**It is ORDERED:** Plaintiff's NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DOE 15 ONLY [Docket No. **26**, filed September 02, 2011] is accepted by the Court and defendant **JOHN DOE 15** is dismissed without prejudice.

**It is ORDERED:** As JOHN DOE 15 is now dismissed, the MOTION TO QUASH OR MODIFY SUBPOENA filed by "John Doe 15" [Docket No. **15**, filed August 12, 2011] is **DENIED AS MOOT** for reasons as set forth on the record.

**It is ORDERED:** Plaintiff's SECOND MOTION FOR EXTENSION OF TIME TO EFFECTUATE SERVICE OF SUMMONS AND COMPLAINT UPON EACH DOE DEFNDANT [sic] [Docket No. **19**, filed August 22, 2011] is **GRANTED** for reasons as set forth on the record.  
Any and all Internet Service Provider(s) ("ISP") shall preserve data records from the date they are served with a subpoena regarding the Defendant(s) IP address.

**It is ORDERED:** A **RULE 16(b) SCHEDULING CONFERENCE** is set **OCTOBER 31, 2011 at 1:30 p.m.** in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294. Proposed Scheduling Order shall be filed **on or before SEPTEMBER 26, 2011.**

**It is ORDERED:** A **SHOW CAUSE HEARING** as to service is set **OCTOBER 31, 2011 at 1:30 p.m.** in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294. A written ORDER TO SHOW CAUSE shall issue.

Hearing concluded.

**Court in recess:** 8:19 a.m.

(Total In-Court Time 00:19)

All in-court-time has been entered under case 11-cv-02162-REB-MJW.