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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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11 MALIBU MEDIA, LLC, a California
limited liability company,

12 Plaintiff,

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14 v.

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JOHN DOES 1 through 10,

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Defendants.

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Case Nos. CV 12-1642 RGK (SSx)
CV 12-1647 RGK (SSx)
CV 12-3614 RGK (SSx)
CV 12-3615 RGK (SSx)
CV 12-3617 RGK (SSx)
CV 12-3619 RGK (SSx)
CV 12-3620 RGK (SSx)
CV 12-3621 RGK (SSx)
CV 12-3622 RGK (SSx)
CV 12-3623 RGK (SSx)
CV 12-4649 RGK (SSx)
CV 12-4650 RGK (SSx)
CV 12-4651 RGK (SSx)
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CV 12-4660 RGK (SSx)
CV 12-4661 RGK (SSx)
CV 12-4662 RGK (SSx)
CV 12-647 RGK (SSx)
CV 12-649 RGK (SSx)
CV 12-650 RGK (SSx)
CV 12-651 RGK (SSx)
CV 12-652 RGK (SSx)

**PLAINTIFF’S RESPONSE TO
ORDER TO SHOW CAUSE AND
REQUEST FOR CLARIFICATION
OF OCTOBER 10, 2012 ORDER**

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Plaintiff Malibu Media, LLC (“Plaintiff”) hereby responds to the Court’s January 17, 2013 Order to Show Cause, and additionally requests clarification of the Court’s October 10, 2012 Order denying Plaintiff’s Motion for Leave to Serve Third Party Subpoenas Prior to a Rule 26(f) Conference:

On December 13, 2012, this Court entered an order denying Plaintiff’s Renewed Motion for Leave to Serve Third Party Subpoenas Prior to a Rule 26(f) Conference and severing John Does 2 through 10 without prejudice. The order does not allow for Plaintiff to issue a subpoena to John Doe 1’s ISP to obtain the Defendant’s identity. Plaintiff is unable to move forward in this case without Defendant’s identity and is unsure as to whether the Court intended its Order to be a final order. If it was not this Court’s intention to enter a final order, Plaintiff respectfully requests that the Court schedule a status conference so that it can discuss with the Court how to proceed in this matter.

DATED: January 24, 2013

KUSHNER LAW GROUP

By: /s/ Leemore L. Kushner
Leemore L. Kushner
Attorneys for Plaintiff Malibu Media, LLC