

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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| Case No. | 2:12-cv-01642-RGK-SS; 2:12-cv-03614-RGK-SS; 2:12-cv-03615-RGK-SS; 2:12-cv-03617-RGK-SS; 2:12-cv-03619-RGK-SS; 2:12-cv-03620-RGK-SS; 2:12-cv-03621-RGK-SS; 2:12-cv-03622-RGK-SS; 2:12-cv-03623-RGK-SS; 2:12-cv-04649-RGK-SS; 2:12-cv-04650-RGK-SS; 2:12-cv-04651-RGK-SS; 2:12-cv-04652-RGK-SS; 2:12-cv-04653-RGK-SS; 2:12-cv-01647-RGK-SS; 2:12-cv-04654-RGK-SS; 8:12-cv-00652-RGK-SS; 2:12-cv-04656-RGK-SS; 2:12-cv-04657-RGK-SS; 2:12-cv-04658-RGK-SS; 2:12-cv-04660-RGK-SS; 2:12-cv-04661-RGK-SS; 2:12-cv-04662-RGK-SS; 8:12-cv-00647-RGK-SS; 8:12-cv-00649-RGK-SS; 8:12-cv-00650-RGK-SS; 8:12-cv-00651-RGK-SS; | Date | January 17, 2013 |
| Title | <i>MALIBU MEDIA LLC v. JOHN DOES 1-10</i> | | |

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| Present: The Honorable | R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE | | |
| S. Williams (not present) | Not Reported | N/A | |
| Deputy Clerk | Court Reporter / Recorder | Tape No. | |
| Attorneys Present for Plaintiffs: | Attorneys Present for Defendants: | | |
| Not Present | Not Present | | |

Proceedings: (IN CHAMBERS) Order to Show Cause as to Why Remaining Defendants Should Not be Dismissed Pursuant to Rule 4(m)

From February 27, 2012 to June 27, 2012, Plaintiff Malibu Media, LLC (“Plaintiff”) filed thirty-three separate lawsuits against various groups of John Doe Defendants (collectively “Defendants”) for claims of copyright infringement. In each lawsuit, Plaintiff alleges that Defendants acting in concert together, used the BitTorrent protocol, an internet peer-to-peer file sharing network, to unlawfully reproduce and distribute Plaintiff’s copyrighted works in violation of the Copyright Act, 17 U.S.C. § 101 *et seq.* Given the similarity of Plaintiff’s allegations, the thirty-three cases were transferred to this Court. In its July 10, 2012 Case Management Order, the Court vacated any orders permitting Plaintiff leave to conduct early discovery to determine Defendants’ identities. On August 16, 2012, Plaintiff filed a renewed motion for leave to conduct early discovery. (DE 28.)

On October 10, 2012, the Court denied early discovery. (DE 32.) It also dismissed without prejudice claims against all Defendants, except for individuals designated as “John

Doe 1.” *Id.* After the October 10 Order, Plaintiff voluntarily dismissed several of the original cases, however, the above-captioned cases remained. To this date, no defendants listed as “John Doe 1” have been served in any of the remaining cases.

Under Federal Rule Civil Procedure (“Rule”) 4(m), the summons and Complaint must be served upon defendants within 120 days from the date of the filing of the Complaint. The time limit for service in all these cases has well passed. To this date, Plaintiff has failed to file a request for additional time to comply with Rule 4(m).

The Court **ORDERS** Plaintiff to show cause why these cases should not be dismissed for failure to comply with the requirements of Rule 4(m) by no later than January 24, 2013. Plaintiff shall limit its response to no more than ten pages.

IT IS SO ORDERED.

Initials of
Preparer

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