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6

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

9 MALIBU MEDIA, LLC, a California limited
10 liability company,

11 Plaintiff,

12 v.

13 JOHN DOES 1 through 13,

14 Defendants.
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Case Number(s): 2:12-cv-1260-MCE-JFM

Assigned to Hon. Morrison C. England
Referred to Hon. John F. Moulds

**NOTICE OF MOTION AND MOTION
OF PUTATIVE JOHN DOE NO. 12
JOINING IN OMNIBUS MOTION
THAT THE COURT: (1) RECONSIDER
AND VACATE ITS ORDER
GRANTING EARLY DISCOVERY; (2)
SEVER AND DISMISS ALL DOES
OTHER THAN DOES NO. 1; AND (3)
ENTER A PROTECTIVE ORDER**

Hearing Date: September 27, 2012

Hearing Time: 11:00 a.m.

Hearing Room: Courtroom 26, Sacramento

NOTICE OF MOTION

TO THE HONORABLE COURT, ALL PARTIES, AND THEIR COUNSEL

PLEASE TAKE NOTICE that on September 27, 2012, or as soon thereafter as the matter may reasonably be heard in Courtroom 26 of the above-entitled court, located at 501 “I” Street, Sacramento, CA 95814, Putative John Doe No. 12 in the above-captioned action (“**Moving Party**”) by and through counsel, will and hereby does join defendants Putative John Does 2 and 5, who are also represented by the undersigned, in their “Omnibus Motion that the Court: (1) Reconsider and vacate its order granting early discovery; (2) Sever and dismiss all of the John Doe defendants, other than John Does No. 1; (3) Enter a protective order.” Putative John Doe 12 hereby fully incorporates herein the grounds, argument, and all other relevant matters set forth in Defendants’ Omnibus Motion with regard to all Malibu Media’s claims asserted in this action against Putative John Doe 12.

Putative John Doe 12 joins in the Omnibus Motion rather than filing its own motion separately to conserve the Court’s resources and to minimize the burden on this Court, which might otherwise be faced with multiple separate motions directed at the myriad issues related to Malibu’s request for early discovery and other actions in this matter. Therefore, for the reasons set forth in Defendants’ Omnibus Motion Putative John Doe 12 respectfully requests that the relief requested therein be granted.

DATED: September 20, 2012

Respectfully,

/s/ Morgan E. Pietz

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CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2012, the above document was submitted to the CM/ECF system, which sent notification of such filing(s) to the plaintiff Malibu Media, LLC, which is registered for electronic service.

Check if Applicable:

Copies of these documents were also served via U.S. Mail, on this date, to the following parties, who are not registered for electronic service: N/A

DATED: September 20, 2012

THE PIETZ LAW FIRM

/s/ Morgan E. Pietz

Morgan E. Pietz

THE PIETZ LAW FIRM

Attorney for Putative John Doe(s)

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