

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01953-WYD-MEH

PATRICK COLLINS, INC.,

Plaintiff,

v.

JOHN DOES 1-42,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on September 27, 2012.

Pending before the Court are Doe #41's Motion for Leave to Proceed Anonymously and Defendant Doe #41's Motion for Leave to File Under Restriction the Supplement to the Motion to Proceed Anonymously [filed September 24, 2012; docket #26]. The Court observes that both Motions refer to a subpoena served on CenturyLink; however, no motion to quash has been filed. Mindful that a motion to quash may be forthcoming, the Court finds as follows.

Doe #41's Motion for Leave to Proceed Anonymously [filed September 24, 2012; docket #25] is **granted in part** for the sole purpose of permitting Doe #41 to challenge the subpoena served on CenturyLink. However, Doe #41's request to proceed anonymously throughout the entirety of discovery is **denied as premature**.

In addition, Defendant Doe #41's Motion for Leave to File Under Restriction the Supplement to the Motion to Proceed Anonymously [filed September 24, 2012; docket #26] is **granted in part** and **denied in part**, and the Clerk of the Court is instructed to maintain Defendant Doe #41's Supplement to the Motion to Proceed Anonymously [docket #26-1] under seal at **Restriction Level 2** until the Court orders otherwise. Though the Court acknowledges that Doe #41 has only requested a Level 1 restriction, the Court is concerned that providing Plaintiff's counsel with Doe #41's identifying information will effectively render moot any forthcoming motion to quash. Therefore, in an abundance of caution, the Court will limit access to Doe #41's identifying information to the Court and to Doe #41's counsel until all issues arising from the CenturyLink subpoena have been resolved.