

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Case No. <u>1:12-cv-01119-EGS-JMF</u>
)	
v.)	
)	
JOHN DOES 1-7,)	
)	
Defendants.)	
)	

**PLAINTIFF’S FIRST MOTION FOR EXTENSION OF TIME WITHIN WHICH IT HAS
TO SERVE JOHN DOE DEFENDANTS WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within Plaintiff has to serve Defendants with a Summons and Complaint, and states:

1. This is a copyright infringement case against seven (7) John Doe Defendants known to Plaintiff only by an IP address. The true identities of the Doe Defendants are known by their respective internet service providers (“ISPs”).

2. There are three ISPs in this case: (1) Comcast Communications (4 Doe Defendants); (2) RCN Telecom (1 Doe Defendant); and (3) Verizon Internet Services (2 Doe Defendants)

3. On September 29, 2012, Plaintiff served each of the ISPs with a third party subpoena demanding that they provide the identifying information for the Doe Defendants. The response due date for these subpoenas is November 12, 2012.

4. To date, Plaintiff has not received any of the subpoenaed information from the ISPs.

5. Pursuant to this Rule 4(m), Plaintiff has until today, November 6, 2012, to effectuate service of the summons and Complaint upon each Defendant. As Plaintiff is not in possession of any of the Defendants' identities, it is unable to properly complete service on them in accordance with this Court's order.

6. Procedurally, Plaintiff respectfully requests that the time within it must effectuate service of a summons and Complaint on the Defendant be extended until at least thirty (30) days after it expects to receive the last of the identities from the ISPs, or until December 12, 2012.

WHEREFORE, Plaintiff respectfully requests that the time within it must serve the Doe Defendants with a summons and Complaint be extended until December 12, 2012. A proposed order is attached for the Court's convenience.

Dated: November 6, 2012

Respectfully Submitted,

By: /s/ Jon A. Hoppe
Jon A. Hoppe, Esquire #438866
Counsel for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Jon A. Hoppe
Jon A. Hoppe