

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION**

MALIBU MEDIA, LLC,

Plaintiff,

-vs-

Case No. 2:12-cv-00178-FtM-UA-DNF

JOHN DOES 1-35,

Defendants.

ORDER

This case is before the Court on the Motions to Dismiss/Sever and for a Protective Order and/or Quash Subpoena filed by several of the John Doe Defendants (Doc. Nos. 11, 12, 18, 19, 24, 28, and 29). The United States Magistrate Judge has submitted a report recommending that the motions be denied.

After an independent *de novo* review of the record in this matter, and consideration of the Objections to the Report and Recommendation (Doc. Nos. 47, 48, 50, and 51), and the Responses to the Objections (Doc. Nos. 54, 55, and 56), the Objections are **OVERRULED**. The Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

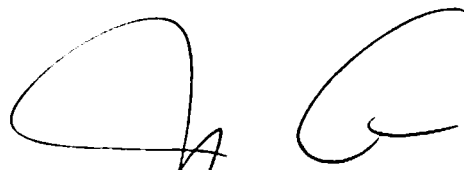
1. That the Report and Recommendation filed August 15, 2012 (Doc. No. 46) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. John Doe #4, #2, #17, #26 and #28's Motions to Dismiss/Sever and for a Protective Order and/or Quash Subpoena (Doc. Nos. 11, 12, 18, 28 and 29) are **DENIED**.

3. John Doe #11 and #21's Motions to Quash Subpoena, or in the Alternative, Motion for Protective Order, Motion to Dismiss or Sever Defendants for Improper Joinder, Motion to Dismiss for Failing to State a Cause of Action; Non-Cumulative Joint and Several Liability; Mixed Law and Equity (Doc. Nos. 19 and 24) are **DENIED**.

4. Plaintiff is required to and shall notify each Doe Defendant directly, or through his, her or its counsel if represented, of Plaintiff's intent to name and serve the Doe Defendant at least fourteen (14) days prior to seeking issuance of a summons from the Clerk for the identified Doe Defendant.

DONE and **ORDERED** in Chambers, Orlando, Florida this 2nd day of ~~September~~ ^{October}, 2012.



JOHN ANTOON II
United States District Judge

Copies furnished to:
Counsel of Record
Unrepresented Party