

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

**MALIBU MEDIA LLC,**

**Plaintiff,**

**-vs-**

**Case No. 2:12-cv-266-FtM-29DNF**

**JOHN DOES 1-9, 18, 22, 24, 25,**

**Defendants.**

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**ORDER**

This cause came on for consideration on the following motion(s) filed herein:

**MOTION: SECOND MOTION FOR EXTENSION OF TIME  
WITHIN WHICH IT HAS TO SERVE DEFENDANTS  
WITH A SUMMONS AND COMPLAINT (Doc. No. 46)**

**FILED: October 12, 2012**

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**THEREON it is ORDERED that the motion is GRANTED in part and  
DENIED in part.**

The Plaintiff, Malibu Media, LLC is requesting additional time to serve Defendants in this action. The Defendants, John Doe #18 and John Doe #24 filed Oppositions (Doc. 47 and 48) on October 14, 2012.<sup>1</sup> Pursuant to FED. R. CIV. P. 4(m), “[i]f a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a

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<sup>1</sup> John Doe # 18 and John Doe #24 have not been served with process.

specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” The Plaintiff stated that it has not received information for the Doe Defendants from some of the Internet Service Providers. The Court will order that service be made within a specific time period and will allow the Plaintiff additional time to serve, however, the Court is not inclined to grant any further extensions.

**IT IS FURTHER ORDERED:**

The Plaintiff shall have until November 12, 2012 in which to serve the Defendants. No further extensions for service will be granted absent good cause shown for each Defendant.

**DONE and ORDERED** in Chambers in Ft. Myers, Florida this 5th day of November, 2012.

  
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DOUGLAS N. FRAZIER  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record