

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS**

**MALIBU MEDIA LLC,** ) **Case No. 12-1188**  
)  
**Plaintiff,** )  
)  
**vs.** )  
)  
**DOES 1 - 34,** )  
)  
**Defendants.** )

**FILED**

SEP 04 2012

CLERK OF THE COURT  
U.S. DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
URBANA, ILLINOIS

OBJECTION TO SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR  
OBJECTS, OR TO PERMIT INSPECTION OF PREMISE IN A CIVIL ACTION

NOW COMES Defendant, DOE 5, and objects to the issuance of a subpoena allowing Comcast to supply the information requested in their the above captioned case as set forth in the Order dated August 1, 2012 issued by United States Magistrate Judge John A. Gorman. Defendant, DOE 98.212.140.98, objects to being included in the complaint in the suit known as, In support, Defendant, DOE 13 states the following:

1. The Order authorizes the release of the Defendant's email address and telephone number, neither of which are necessary for the Plaintiff to identify the Defendant or accomplish other purposes authorized by law based on the statements in the request for Subpoena and the current status of the case.

2. The disclosure of Doe 5's email address and telephone number would unduly interfere with the Defendant's reasonable expectations of privacy without unduly burdening the Plaintiff at this time

3. The Defendant further objects to the issuance in general of a Subpoena for the information sought by Plaintiff based on information and belief that the release of such information will not lead to sufficiently reliable evidence warranting the Defendant to be named in the underlying lawsuit for the reasons set forth in the Order and Report set forth in the attached order entered by United States Magistrate Gary R. Brown in In Re: Bittorrent Adult Film Copyright Infringement Cases, May 1, 2012 a copy of which is attached.

WHEREFORE, Defendant, DOE 5, prays the Court not allow Comcast to disclose the Defendant's email address and telephone number or deny the Subpoena in its entirety.

Respectfully submitted,  
Defendant, DOE 5

*Doe 5*

\_\_\_\_\_  
DOE 5

I, Defendant, DOE 5, state that the above information is true to the best of my knowledge, information and belief.

Do e 5  
DOE 5

**CERTIFICATE OF SERVICE**

I, Do e 5, hereby certify that I served a true and correct copy of the foregoing on the Plaintiff in this case by placing it in an envelope, properly addressed, and sealed, with proper postage affixed, to the plaintiff's attorney, Law Offices of Nicoletti & Associates, LLC, 36880 Woodward Avenue, Suite 100, Bloomfield Hiss MI 48304 and Comcast Legal Response Center, NE&TO, 650 Centerton Road, Moorestown, NJ 08057, and placed into a U.S. Mail box or facility on the 27 day of August, 2011.

Do e 5

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF CHAMPAIGN )

Subscribed and sworn to before me this 27<sup>th</sup> day of August, 2011.

Beckee Bachman  
Notary Public



DOE 5  
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