

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

MALIBU MEDIA, LLC,	)	
	)	
Plaintiff,	)	Civil Case No. <u>1:12-cv-01342-JES-JAG</u>
	)	
v.	)	
	)	
JOHN DOES 1-12,	)	
	)	
Defendants.	)	
_____	)	

**PLAINTIFF’S FIRST MOTION FOR EXTENSION OF TIME WITHIN WHICH  
IT HAS TO SERVE 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 which Plaintiff has to serve Defendants with a Summons and Complaint, and states:

1. This is a copyright infringement case against twelve (12) 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. On or about November 27, 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 January 14, 2013.

3. To date, Plaintiff has not received a subpoena response from any of the ISPs.

4. Pursuant to Rule 4(m), Plaintiff has until today, January 7, 2013, to effectuate service of the summons and Complaint upon each Defendant. As Plaintiff does not yet know the true identities for any of the Defendants, it has been unable to serve them in compliance with Rule 4(m).

5. Procedurally, Plaintiff respectfully requests that the time within it must effectuate service of a summons and Complaint on the Defendants be extended until at least thirty (30) days after it expects to receive responses to the subpoenas, or February 13, 2013.

WHEREFORE, Plaintiff respectfully requests that the time within it must serve the Defendants with a summons and Complaint be extended until February 13, 2013. A proposed order is attached for the Court's convenience.

Dated: January 7, 2013

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 7, 2013, 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/ Paul J. Nicoletti