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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MALIBU MEDIA, LLC,

Plaintiff,

vs.

JOHN DOES 1-13,

Defendants.

Civil Action No. 1:12-CV-03995-RWS

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JUDGE SWEET CHAMBERS

PLAINTIFF'S THIRD 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 BitTorrent copyright infringement case against thirteen (13) 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 June 5, 2012, Plaintiff was granted leave to serve third party subpoenas on Defendants' ISPs to obtain the Defendants' identifying information.

3. On June 8, 2012, Plaintiff served the subpoenas on each ISP. The response date for the subpoenas was August 9, 2012. To this day, however, Plaintiff has not received a response from any of the ISPs.

4. Plaintiff contacted the ISPs to obtain a status on the responses and was advised that on October 10, 2012, Road Runner's response to the subpoena was inadvertently submitted

So ordered
Robert Sweet USDJ
12/7/12

to Judge Stanton's Chambers, along with the subpoena response for another case pending in this district: *Malibu Media, LLC v. John Does 1-14*, 1:12-cv-4136-LLS.

5. Undersigned advised Road Runner that the responses for this case were to be submitted directly to undersigned's office and requested that they properly comply with the subpoena.

6. Plaintiff has not heard from the other ISP in the matter, Windstream, regarding their response.

7. Pursuant to this Court's order dated November 29, 2012, Plaintiff is required to serve Defendants with a summons and Complaint by no later today, November 30, 2012. As Plaintiff is not yet in possession of Defendants' true identities, Plaintiff cannot serve them as required this Court's order.

8. Procedurally, Plaintiff respectfully requests that the time within it must effectuate service of a summons and Complaint on the Defendant be extended an additional thirty (30) days, or until December 30, 2012.

WHEREFORE, Plaintiff respectfully requests that it be allowed until December 30, 2012 to serve Defendants with a summons and Complaint. A proposed order is attached for the Court's convenience.

Dated: November 30, 2012

Respectfully submitted,

By: /s/*Jason Kotzker*
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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MALIBU MEDIA, LLC,	:	
	:	Civil Action No. 1:12-CV-03995-RWS
Plaintiff,	:	
vs.	:	
JOHN DOES 1-13,	:	
Defendants.	:	

ORDER GRANTING PLAINTIFF'S THIRD MOTION FOR EXTENSION OF TIME WITHIN WHICH IT HAS TO SERVE JOHN DOE DEFENDANTS WITH A SUMMONS AND COMPLAINT

THIS CAUSE came before the Court upon Plaintiff's Third Motion for Extension of Time Within Which it Has to Serve John Doe Defendants With a Summons and Complaint (the "Motion"), and the Court being duly advised in the premises does hereby:

ORDER AND ADJUDGE: Plaintiff's Motion is granted. Plaintiff shall have until December 30, 2012 to effectuate service of a summons and Complaint on Defendants.

SO ORDERED this ___ day of _____, 2012.

By: _____
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 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/*Jason Kotzker*