

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p>MALIBU MEDIA, LLC,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>JOHN DOES 1-16,</p> <p style="text-align: right;">Defendants.</p>	<p>CIVIL ACTION NO. 12-2078</p>
<p>MALIBU MEDIA, LLC,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>JOHN DOES 1-14,</p> <p>Defendants.</p>	<p>CIVIL ACTION NO. 12-2084</p>
<p>MALIBU MEDIA, LLC,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>JOHN DOES 1-22,</p> <p>Defendants.</p>	<p>CIVIL ACTION NO. 12-2088</p>

ORDER RE: RULE 16 CONFERENCE

AND NOW, this 29th day of November, 2012, the Court held an extensive Rule 16 pretrial conference with counsel on November 28, 2012, following the filing of a Rule 26(f) Report. Although the record of the hearing should be consulted for details, the Court summarizes scheduling orders as follows:

1. The three cases noted above will be consolidated for all pretrial purposes.

Therefore, counsel and the Court will use the caption of Civil Action 2012-2078 in all future matters filed with the Court. No agreement by counsel or decision by the Court has been made concerning consolidation other than for pretrial purposes.

2. Plaintiff will file its responses to the Motions to Dismiss by Wednesday, December 5, 2012. Defendant shall file one or more reply briefs by December 19, 2012.

3. The Court encouraged counsel to have detailed discussions about the scope of discovery and any objections that have been or will be served to written discovery requests. If issues remain unresolved, the Court requested that any Rule 37 motions to compel be filed by January 10, 2013. The Court will likely have a phone conference with counsel to discuss these objections and may order a hearing or more detailed briefing. The Rule 37 motions should state the grounds in some detail, but counsel need not file a memorandum of law.

4. Plaintiff indicated that it will be serving several notices of third party depositions under Rule 30(b)(6) to take place in January, of internet service providers and companies that perform search engines. The Court anticipated there would be some delay in the actual deposition to allow for the third parties to consider the document requests and negotiate production of documents. The Court understands that all counsel in this case will serve any documents received from a third party on all other counsel in this case.

5. Plaintiff will provide identification of its experts by December 21, 2012, together with resumes and other biographical material pertaining to its experts. The Court encouraged plaintiff's counsel to be prepared to identify their experts by the end of January, 2013.

There was extensive discussion about other discovery matters, but without any rulings.

BY THE COURT:

/s/ Lawrence F. Stengel, for

MICHAEL M. BAYLSON, U.S.D.J.