

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

MALIBU MEDIA, LLC
&
PATRICK COLLINS, INC.
Plaintiffs

v.

JOHN DOES 1 – 14,
Defendants

Civil No.: 2:12-cv-02084-MMB

Hon. Michael M. Baylson

COMES NOW Defendant John Doe 6, by and through counsel, and pursuant to Federal Rule of Civil Procedure 12(b)(1), moves the Court to dismiss certain counts of infringement due a lack of standing. Specifically, Plaintiff Malibu Media does not hold a lawful copyright on the videos titled, *Carlie: Beautiful Blowjob*, *Tiffany: Teenagers in Love*, and *Kristen: Girl Next Door*.

John Doe 6 also moves to dismiss the entire complaint under Rule 12(b)(1) for lack of standing; specifically neither Malibu Media nor Patrick Collins have obtained the necessary certificate of authority from the Pennsylvania Department of State, and are therefore barred from commencing a civil action in Pennsylvania under 15 Pa.C.S.A. §§4141 & 8587.

WHEREFORE, Defendant John Doe 6 prays that the Court enter an order granting the requested relief.

Dated this sixteenth day of November, 2012.

/S/ CHARLES THOMAS, JR.
Charles Thomas, Jr., Esq.
Attorney for John Doe 6

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he filed the foregoing Motion to Quash and/or Sever on November 16, 2012 via the Court's CM/ECF filing system, thereby serving all parties of record.

Respectfully submitted,

/S/ CHARLES THOMAS, JR.
Charles Thomas, Jr., Esq.

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PROPOSED FORM OF ORDER

AND NOW, this _____ day of November, 2012, it is hereby ORDERED that
the amended complaint is DISMISSED.

BY THE COURT,

MICHAEL M. BAYLSON
United States District Judge