

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

| | | |
|--------------------|---|--------------------------------------|
| Malibu Media, LLC, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | Civil Action No. 1:12cv161 (CMH/TRJ) |
| |) | |
| John Does 1-26, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

ORDER

The court has on its docket plaintiff's motion (no. 3) for leave to serve third party subpoenas prior to a Rule 26(f) conference. Upon initial examination, it appears that this action may be within the scope of Judge Gibney's October 13, 2011 amended memorandum order in *K-Beech, Inc. v. Does 1-85*, Civil Action No. 3:11-cv-469 (E.D. Va.).

Accordingly, it is ORDERED that

- The hearing on the instant motion is CONTINUED to 10:00 a.m. on March 9, 2012, at which time the court will conduct a combined hearing on the motion and the issue of joinder/severance; and
- Plaintiff shall file a brief not later than March 2, 2012 showing why the claims in this matter should not be severed.

ENTERED this 22nd day of February, 2012.

/s/
Thomas Rawles Jones, Jr.
United States Magistrate Judge

Alexandria, Virginia