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UNITED STATES DISTRICT COURT
Northern District of California

PATRICK COLLINS, INC.,

No. C 11-2766 MEJ

Plaintiff,

**ORDER STRIKING MOTION TO
QUASH/DISMISS
(IP ADDRESS 69.114.65.247)**

v.

DOES 1-2,590,

Docket No. 33

Defendants.

On November 15, 2011, an anonymous defendant noticed a motion to dismiss the complaint, which names only Doe defendants. The litigant identifies himself or herself only as “John Doe” at I.P. Address 69.114.65.247. Dkt. No. 33. Because John Doe has disclosed no identifying information, there is no way to determine whether the motion was filed by a real party in interest or a stranger to the litigation. As such, the filing is improper. The Clerk of Court shall STRIKE Dkt. Nos. 33.

If John Doe wishes to appear in this action anonymously or otherwise, he or she must follow the proper procedures for doing so. At a minimum, the Court and the parties must be informed of the litigant’s identity. If the litigant wishes to protect his or her identity from the public, the litigant may use a pseudonym in public filings only after receiving permission for good cause shown. Defendant is advised that the Ninth Circuit court of appeals allows the use of pseudonyms only in the most unusual cases. *See, e.g., Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1067–68 (9th Cir. 2000).

Further, John Doe (and any other Doe Defendants in this action) should be aware that the Court considered the issue of joinder at length in its previous order and found that Plaintiff presented a reasonable basis to argue that the Doe Defendants’ actions in this case may fall within the definition of “same transaction, occurrence, or series of transactions or occurrences” for purposes of

UNITED STATES DISTRICT COURT
For the Northern District of California

1 joinder under Federal Rule of Civil Procedure 20(a). Dkt. No. 12 at 6-11. As John Doe's motion
2 presents the same generalized arguments addressed in its previous order, even if the Court were to
3 consider John Doe's motion, it would be without merit.

4 **IT IS SO ORDERED.**

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6 Dated: November 16, 2011

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9 Maria-Elena James
10 Chief United States Magistrate Judge
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