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UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT
Northern District of California

PATRICK COLLINS, INC.,
Plaintiff,
v.
DOES 1-2,590,
Defendants.

No. C 11-2766 MEJ
ORDER TO SHOW CAUSE
Re: Docket Nos. 48-50

On June 7, 2011, Plaintiff Patrick Collins, Inc. filed this lawsuit against 2,590 Doe Defendants, alleging that Defendants illegally reproduced and distributed a work subject to Plaintiff’s exclusive license, (“*Real Female Orgasms 10*”), using an internet peer-to-peer file sharing network known as BitTorrent, thereby violating the Copyright Act, 17 U.S.C. § 101-1322. Compl. ¶¶ 6-15, Dkt. No. 1. On September 22, 2011, the Court granted Plaintiff’s Application for Leave to Take Limited Expedited Discovery. Dkt. No. 12. The Court permitted Plaintiff to serve subpoenas on Does 1-2,590’s Internet Service Providers (“ISPs”) by serving a Federal Rule of Civil Procedure 45 subpoena that seeks information sufficient to identify the Doe Defendants, including the name, address, telephone number, and email address of Does 1-2,590. *Id.* at 11. Once the ISPs provided Does 1-2,590 with a copy of the subpoena, the Court permitted Does 1-2,590 30 days from the date of service to file any motions contesting the subpoena (including a motion to quash or modify the subpoena). *Id.*

Now before the Court are motions to quash and dismiss, filed by potential Doe Defendant

1 Steven Douglas Buchanan, from ISP Qwest-Century Link.¹ Dkt. Nos. 48-50. Upon review of Mr.
2 Buchanan's motions, it appears that jurisdiction is lacking and venue is improper. Accordingly, the
3 Court ORDERS Plaintiff to show cause why Mr. Buchanan should not be dismissed. Plaintiff shall
4 file a declaration by December 6, 2011.

5 **IT IS SO ORDERED.**

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7 Dated: December 1, 2011

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10 Maria-Elena James
11 Chief United States Magistrate Judge
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27 ¹Although Mr. Buchanan filed a motion to proceed anonymously, the Court finds any such
28 order unnecessary as Plaintiff may not use any information obtained from this case against him
unless the Court orders otherwise.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PATRICK COLLINS INC,

Case Number: CV11-02766 MEJ

Plaintiff,

CERTIFICATE OF SERVICE

v.

DOES 1-2590 et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 1, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Steven Douglas Buchanan
22026 N 33rd Drive
Phoenix, AZ 85027

Dated: December 1, 2011

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk

UNITED STATES DISTRICT COURT
For the Northern District of California

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