

---

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-02163-CMA-MJW

PATRICK COLLINS, INC.,

Plaintiff,

v.

JOHN DOES 1-33,

Defendants.

---

**PLAINTIFF'S MEMORANDUM IN RESPONSE TO  
DOE #6'S OBJECTION LETTER**

To the extent the Defendant Doe #6's letter could be a motion, the motion is moot on the basis that Defendant has revealed his customer information. Plaintiff intends to discuss the matter directly with Mr. Anderson and will take under advisement his circumstances and denial.

Mr. Anderson's attachment of the order from Patrick Collins, Inc. v. Does 1-118, No. 3:10-CV-00092-JPB-JES (N.D. W. Va. Dec. 16, 2010) does not support a reason to remove his IP from the subpoena list. First, that case is not published, was not filed by undersigned, and is not available on Pacer because it is sealed. Second, the Order states "plaintiff appears to allege that joinder is based upon the Does' use of some of the same ISPs and some of the same peer-to-peer (P2P) networks to infringe the same copyright." The allegations are materially distinguishable because here Plaintiff alleged that all of the Defendants used BitTorrent to actually cause their computers to connect to each of the other Defendant's computers. Thus, in addition to this case having no

precedential effect because it is not published, the case is clearly distinguishable on its facts.

For the foregoing reasons, Plaintiff respectfully requests that the Court deny the subject motion.

Dated: November 30, 2011

Respectfully submitted,

By: /s/ Jason Kotzker  
Jason Kotzker  
[jason@klgip.com](mailto:jason@klgip.com)  
KOTZKER LAW GROUP  
10268 Royal Eagle Street  
Highlands Ranch, CO 80129  
Phone: 303-875-5386  
*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2011 I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Jason Kotzker