

COMMONWEALTH OF MASSACHUSETTS

UNITED STATES DISTRICT COURT
CIVIL ACTION NO. 12CV10532-GAO

PATRICK COLLINS, INC. DBA ELGANT ANGEL)
PRODUCTIONS)
Plaintiff)
v.)
DOES 1-79)
Defendants)

DEFENDANT DOE 58'S MOTION TO QUASH

Now comes the Defendant, Doe 58 in the above entitled matter and moves that this Honorable Court vacate the subpoena dated May 23, 2012 and directed to Comcast Cable directing Comcast to disclose to the Plaintiff, the names and addresses and other confidential information including but not limited to the identity of its subscribers to of certain Comcast Cable IP addresses of which the Defendant Doe 58 is one.

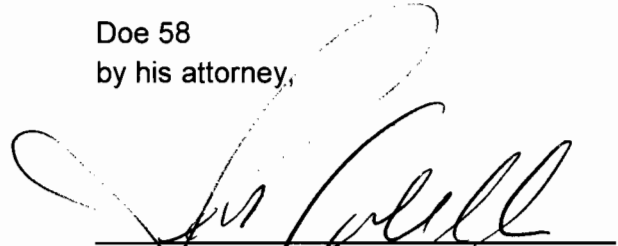
As grounds therefore, Defendant Doe 58 states that:

1. The information sought is confidential and not designed to produce relevant discoverable material but is intended to be used by Plaintiff as the means to harass and cause concern to random and presently unidentified potential Defendants by enabling Plaintiff to effect service of process upon them.
2. The information sought is irrelevant since any subscriber linked to any given IP address may not be the actual user and therefore the subscriber's identity is not probative of use.
3. The information sought is merely part of Plaintiff's plan to threaten identified IP subscribers with the specter of litigation unsupported by any likelihood of recovery

and to extract settlements from those unsophisticated and overwhelmed individuals.

Respectfully submitted,

Doe 58
by his attorney,



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Bradford, MA 01835
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CERTIFICATE OF SERVICE

I, Stephen P. Colella, attorney for Doe 58, hereby certify that on this I served a copy of the foregoing, by mailing a copy of same, postage prepaid, to:

United States District Court
John Joseph Moakley U. S. Courthouse
1 Courthouse Way
Boston, MA 02210

Law Offices of Marvin Cable
73 Bridge Street, Suite 6
Northampton, MA 01060

Comcast
Attn: Legal Response Center
650 Centerton Road
Moorestown, NJ 08057



Stephen P. Colella

DATE: May 30, 2012