

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

PATRICK COLLINS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. A. No. 1:12-cv-10532-GAO
	)	
DOES 1 – 79,	)	
	)	
Defendants.	)	

**DOE 69’s MOTION FOR LEAVE TO FILE REPLY TO PLAINTIFF’S OPPOSITION  
TO MOTION TO QUASH SUBPOENA AND/OR TO SEVER**

Purusuant to Local Rule 7.1(b)(3), Defendant Doe 69 respectfully seeks leave to file a reply of no more than 20 pages in response to certain arguments raised in Plaintiff Patrick Collins, Inc.’s Opposition (Document No. 29) to Defendant’s Motion to Quash Subpoena and/or to Sever (Document 26). Doe 69’s reply brief would address the following issues:

1. A party’s standing to move to quash a subpoena, issued to a non-party, which seeks information as to which the party has a personal right or sufficient interest;
2. Doe 69’s right to privacy as it applies to such a motion;
3. The application of the *McMann* factors to Plaintiff’s requested discovery; and
4. Whether joinder is proper.

Doe 69 believes this reply will assist the Court in its analysis of the issues raised in Plaintiff’s Opposition, and the instant motion is not interposed for delay or improper purpose. No party will be prejudiced if the motion is allowed as no hearing date has been set. Counsel for Plaintiff does not oppose this motion.

A proposed reply is attached hereto as Exhibit A. Should the Court grant leave to file, Doe 69 proposes to file its rreply within five days of the Court’s grant.

WHEREFORE, Defendant Doe 69 respectfully seeks leave to file a reply to Plaintiff's opposition of up to 20 pages.

Respectfully submitted by counsel for Defendant Doe 69 on this July 31, 2012.

/s/ Daniel G. Booth  
Daniel G. Booth (BBO# 672090)  
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**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

I, Dan Booth, hereby certify that on July 31, 2012, I informed Plaintiff's counsel Marvin Cable, Esq., by telephone that Doe 69 anticipated filing a proposed reply to Plaintiff's opposition to Doe 69's motion to quash and/or sever. Despite good faith efforts, the parties have been unable to resolve or further narrow the issues presented therein.

/s/ Daniel G. Booth

**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2012, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to any identified non-registered participants for whom a mailing address is provided.

/s/ Daniel G. Booth