

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PATRICK COLLINS, INC.,

Plaintiff,

v.

DOES 1 – 36,

Defendants.

Civil Action No.: 1:12-cv-10758

**Response to Court's Order
(ECF# 28)**

PATRICK COLLINS, INC.,

Plaintiff,

v.

DOES 1 – 79,

Defendants.

Civil Action No.: 1:12-cv-10532

**Response to Court's Order
(ECF# 34)**

1. The following is a response to Courts' Orders.

On August 7, 2012, in both the above captioned cases, Courts entered Orders. The Orders were the same:

Plaintiff shall inform the Court by close of business August 9, 2012, whether the Complaint in this action sues the subscribers or the infringers. re [1] Complaint, filed by Patrick Collins, Inc.

The following is in response to these Orders.

2. Response.

The simple answer: the Plaintiff is suing the infringers. The rye: the subscribers are frequently the infringers. Further, common sense frequently supports plausible claims against subscribers, for secondary liability. And the Plaintiff may amend the Complaint to address such additional claims.

3. Moving forward.

In civil action number, 12-10758, there are still 19 subscriber identities that Plaintiff has not received; and, in civil action number, 12-10532, there are 71. Likely, Plaintiff would be amenable to submit a proposed subpoena notice like that in civil action number, 12-10805, to satisfy Courts.

One foreseeable issue: the ISPs might comply with subpoenas before there is a chance to get out an updated Notice.

In any event, the Plaintiff wishes to work with the Courts to address any issues like these. Plaintiff would appreciate a hearing, for any further clarification, if Court desires.

* * *

Respectfully submitted on August 9, 2012,

FOR THE PLAINTIFF:



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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 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 those indicated as non-registered participants.



Marvin Cable, Esq.

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