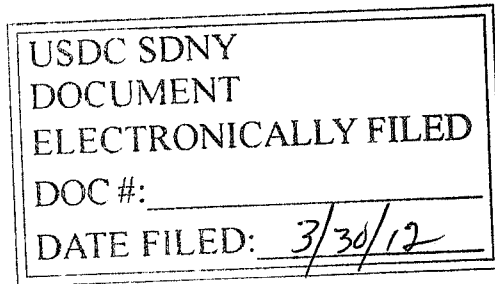


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



PRO SE OFFICE
(Signature)

-----x
IN RE ADULT FILM COPYRIGHT
INFRINGEMENT LITIGATION

Master Case No. 11 Civ. 7564

This Document Relates to :

NOTICE OF MOTION

- 11 Civ. 7564 (KBF)
- 11 Civ. 7999 (KBF)
- 11 Civ. 8172 (KBF)
- 11 Civ. 9550 (KBF)
- 11 Civ. 9618 (KBF)
- 11 Civ. 9688 (KBF)
- 11 Civ. 9703 (KBF)
- 11 Civ. 9705 (KBF)
- 11 Civ. 9706 (KBF)
- 11 Civ. 0129 (KBF)
- 11 Civ. 1077 (KBF)
- 11 Civ. 1169 (KBF)

-----x

PLEASE TAKE NOTICE that upon the annexed affirmation of JOHN DOE DEFENDANT "109 (98.116.206.64)"* affirmed on March 27, 2012, the aforementioned defendant identified only by respective Doe number and the alleged corresponding Internet Protocol (IP) address, defendant will move this Court, before Katherine Forrest, United States District/Magistrate Judge, for an order to quash or vacate the subject subpoena for reasons and on grounds stated in the annexed affirmation pursuant to Rule § 45 (3) (A), sections iii and iv, of the Federal Rules of Civil Procedure, relative to the above-captioned case pending before the Honorable magistrate.

I declare under penalty of perjury that the foregoing is true and correct.

Dated : March 27, 2012

New York, New York

"JOHN DOE DEFENDANT 109 – 98.116.206.64"*

PRO SE Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
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INFRINGEMENT LITIGATION

Master Case No. 11 Civ. 7564

This Document Relates to :

**AFFIRMATION IN
SUPPORT OF MOTION**

11 Civ. 7564 (KBF)
11 Civ. 7999 (KBF)
11 Civ. 8172 (KBF)
11 Civ. 9550 (KBF)
11 Civ. 9618 (KBF)
11 Civ. 9688 (KBF)
11 Civ. 9703 (KBF)
11 Civ. 9705 (KBF)
11 Civ. 9706 (KBF)
11 Civ. 0129 (KBF)
11 Civ. 1077 (KBF)
11 Civ. 1169 (KBF)

-----X
I, JOHN DOE DEFENDANT “109 (98.116.206.64)”*, affirm under penalty of perjury that:

1. I, John Doe Defendant “109 (98.116.206.64)”*, am the alleged defendant in the above-entitled action, and respectfully move this Court to issue an order to quash and/or vacate the subpoena requiring the disclosure of John Doe defendant’s identity and address relative to the complaint filed by plaintiff Patrick Collins pending before the Honorable Court.

2. The reason why I am entitled to the relief I seek is that the Internet Protocol (IP) address stated in attachment “A” and re-stated in the letter of internet provider Verizon dated February 29, 2012 is not identified with John Doe defendant “109(98.116.206.64)*” because after receipt of the said letter of internet provider Verizon, defendant checked and verified the actual IP address and discovered that the IP address indicated in the February 29, 2012 letter of IP Verizon which reads “98.116.206.64” is not the IP address of defendant, and in addition thereto, I

respectfully invoke and request that the grounds enumerated hereunder be made applicable in this case provided for and pursuant to Rule § 45 (3), (A), sections iii and iv, of the Federal Rules of Civil Procedure, which states :

“(3) *Quashing or modifying a subpoena.*

(A) *When required.* On timely motion, the issuing court must quash or modify a subpoena that:

- (i) x x x
- (ii) x x x
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.”

WHEREFORE, I respectfully request that the Court grant this motion, as well as such other further relief as may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated : March 27, 2012

New York, New York

JOHN DOE DEFENDANT “109 (98.116.206.64)”*

PRO SE DEFENDANT