

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

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	:	
PATRICK COLLINS, INC.,	:	
	:	Civil Action No. 3:11-cv-01728-JGC
Plaintiff,	:	
	:	Jeff Simpson (0080376)
vs.	:	The Simpson Law Office, Inc.
	:	405 North Huron, Suite 200
JOHN DOES 1-35,	:	Toledo, Ohio 43604
	:	Tel: 419-243-7225
Defendants.	:	Fax: 419-242-0463
	:	Email: thesimpsonlawoffice@yahoo.com
	X	

**PLAINTIFF’S MOTION TO EXTEND THE TIME WITHIN WHICH IT HAS TO
EFFECTUATE SERVICE ON DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Patrick Collins, Inc., moves for entry of an order extending the time within which Plaintiff has to serve Doe Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against Doe Defendants known to Plaintiff only by an IP address. The true identities of the Doe Defendants are known by their respective internet service providers (“ISPs”).
2. Plaintiff served all of the Doe Defendants’ ISPs with a third party subpoena demanding that the ISPs provide identifying information for the Doe Defendants. The due date on the subpoenas was November 1, 2011.
3. The deadline to effectuate service on Doe Defendants is currently December 15, 2011.
4. Pursuant to this Court’s order dated December 7, 2011 [Dkt. 13], Doe Defendants 2 through 35 have been severed from the case. As such, the only remaining

Defendant is Doe #1.

5. Buckeye Cablevision, Doe #1's ISP, has indicated that it intends to notify the Defendant of the subpoena and allow thirty (30) days for Defendant to file a Motion to Quash, prior to releasing Defendant's identifying information to the Plaintiff.

6. As a result, Plaintiff will not be in possession of Defendant's identity and will be unable to effectuate service of the summons and Complaint upon Defendant by the current Rule 4(m) deadline.

7. Procedurally, Plaintiff respectfully requests that the deadline to effectuate service on the Defendant be extended an additional sixty (60) days, or until February 13, 2012.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the Doe Defendants be extended until February 13, 2012.

Dated: December 15, 2011

Respectfully submitted,

By: /s/ Jeff Simpson
Jeff Simpson (0080376)
Attorney for Plaintiff
405 North Huron, Suite 200
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Tel: (419) 243-7225
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CERTIFICATE OF SERVICE

I hereby certify that on December 15, 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/ Jeff Simpson