

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

PATRICK COLLINS, INC.	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	Civil Action No.: 11-cv-7252-MSG
JOHN DOES 1-18,	:	
	:	
Defendants.	:	
	:	

**DEFENDANT JOHN DOE 13'S MOTION TO SEVER  
DEFENDANTS FOR IMPROPER JOINDER AND TO VACATE  
THE ORDER GRANTING LEAVE TO SERVE THIRD-PARTY  
SUBPOENAS AND QUASH THE SUBPOENA**

Pursuant to FED. R. CIV. P. Rules 20, 21 and 45, Defendant, John Doe 13 ("Defendant") hereby moves to sever defendants for improper joinder and to vacate the January 24, 2012 Order granting Plaintiff, Patrick Collins, Inc. ("Plaintiff") leave to serve third party subpoena upon Defendant's Internet Service Provider ("ISP"), Comcast Corporation ("Comcast") and quash the subpoena served upon Comcast. In support of this motion, Defendant submits the accompanying Memorandum of Law, together with the exhibits attached thereto.

Respectfully submitted,  
**FELLHEIMER & EICHEN LLP**

*/s/ John J. Jacko, III*  
\_\_\_\_\_  
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*Attorneys for Defendant  
John Doe 13*

Dated: March 8, 2012

**CERTIFICATE OF SERVICE**

I, John J. Jacko, III, hereby certify that on March 8, 2012, a true and correct copy of the foregoing Motion to Sever Defendants for Improper Joinder and to Vacate the Order Granting Leave to Serve Third-Party Subpoenas and Quash the Subpoena was served via the ECF system upon the following:

Christopher P. Fiore, Esquire  
**FIORE & BARBER LLC**  
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**FELLHEIMER & EICHEN LLP**

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