

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

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| MALIBU MEDIA, LLC, | : | |
| | : | |
| | : | Civil Action No. <u>5:12-cv-03146-LS</u> |
| Plaintiff, | : | |
| | : | |
| vs. | : | |
| | : | |
| JOHN DOES 1-23, | : | |
| | : | |
| Defendants. | : | |
| | : | |
| -----X | | |

**PLAINTIFF’S FIRST MOTION FOR EXTENSION OF TIME
WITHIN WHICH IT HAS TO SERVE JOHN DOE DEFENDANT
WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve Defendants with a Summons and Complaint, and states:

1. This is a copyright infringement case against John 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. On June 6, 2012, Plaintiff served subpoenas on Defendants’ ISPs, requesting that they produce the identifying information for Defendants. The ISPs responses were due on or about July 25, 2012.

3. To this day, however, Plaintiff has still not received all the Defendants’ identities.

4. Pursuant to Rule 4(m), Plaintiff has until today, October 2, 2012, to serve Defendant with a summons and Complaint. As Plaintiff does not yet have all the Defendants’

identities, it has been unable to effectuate service on the Defendants in compliance with Rule 4(m).

5. Procedurally, Plaintiff respectfully requests that the time within which it has to serve Defendants be extended an additional (30) days, or until November 1, 2012.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve Defendant be extended until November 1, 2012. A proposed order is attached for the Court's convenience.

Dated: October 2, 2012

Respectfully submitted,

FIORE & BARBER, LLC

By: /s/ Christopher P. Fiore
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2012, 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/ Christopher P. Fiore