

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

THIRD DEGREE FILMS,	)	
	)	Civil Case No. <u>1:12-cv-00326-CKK-JMF</u>
Plaintiff,	)	
v.	)	
	)	
JONATHAN SEABOLD,	)	
	)	
Defendant.	)	
_____	)	

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

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

1. This is a copyright infringement case originally against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s identity is known by his internet service provider (“ISP”).

2. On August 7, 2012, Plaintiff was granted leave to serve a third party subpoena on the ISP to obtain the Defendant’s information.

3. On August 9, 2012, Plaintiff served the ISP with a third party subpoena demanding that the ISPs provide John Doe 1’s identifying information. The response due date for the subpoena was September 22, 2012.

4. Plaintiff did not learn Defendant’s identity until November 16, 2012. Upon receipt of Defendant’s information, Plaintiff contacted them to ascertain their intentions with respect to early litigation.

5. Plaintiff has amended its Complaint to name Defendant and has received a clerk issued summons for service on the Defendant.

6. Pursuant to Rule 4(m), Plaintiff's deadline to complete service was June 28, 2012. As Plaintiff did not learn Defendant's true identity until very recently, it was unable to serve the Defendant in compliance with Rule 4(m).

7. Procedurally, Plaintiff respectfully requests that the time within it must effectuate service of a summons and Complaint on the Defendant be extended an additional twenty one (21) days, or until January 7, 2013.

WHEREFORE, Plaintiff respectfully requests that the time within it must serve the Doe Defendant with a summons and Complaint be extended until January 7, 2013. A proposed order is attached for the Court's convenience.

Dated: December 17, 2012

Respectfully Submitted,

By: /s/ Jon A. Hoppe  
Jon A. Hoppe, Esquire #438866  
*Counsel for Plaintiff*  
Maddox, Hoppe, Hoofnagle &  
Hafey, L.L.C.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 17, 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/ Jon A. Hoppe  
Jon A. Hoppe