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USDC SDNY DOCUMENT

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March 15, 2012

The Honorable Katherine B. Forrest U.S. District Court for the Southern District of New York

RE: Court Order in Consolidated Case: In Re Adult Film Copyright Infringement Litigation, Master Case No. 11 Civ. 7564.

Dear Judge Forrest:

I have reviewed the Court's Order of March 13, 2012, and respectfully seek permission to:

- (a) File any dismissals of John Does under the original case captions. The reason is that we provide copies of the dismissals to the respective John Does, and they might get confused if they suddenly see a different case caption. I am happy to file the dismissals in the ECF system either (i) under the original Case Number, or (ii) the consolidated Case Number 11-cv-7564.
- (b) Submit the "Notice Letter" pursuant to the Order of March 13, 2012 to the ISPs under the original case captions. The reason is that ISPs have record-keeping systems according to case numbers and otherwise it might lead to significant confusion on their part. Since the Order instructs that all future filings should use the consolidated case caption, all John Does will be informed accordingly.

Pursuant to the Court Order of March 13, 2012, I would like to inform the Court as follows:

(1) "... plaintiffs shall immediately serve a copy of this Order on the Internet Service Providers (ISPs) ... that the ISPs shall serve a copy of this Order on each John Doe ..."

As soon as counsel receives instructions from the Court what case caption to use when submitting the Order of March 13, 2012, to the ISPs, the ISPs will be notified within 2 business days.

(2) "... plaintiffs shall inform the Court by March 16, 2012, whether they have received any defendant's identifying information ..."

Plaintiffs have received identifying information for John Does as follows:

Case	Information received from ISPs for # of John Does	Usable Information for # of John Does (some information is duplicative or erroneous, and thus eliminated)
11 Civ. 7564 (217 Does)	80	79
11 Civ. 7999 (92 Does)	69	66
11 Civ. 8172 (179 Does)	5	5
11 Civ. 9555 (55 Does)	2	2
11 Civ. 9618 (216 Does)	5	5
11 Civ. 9688 (63 Does)	6	1
11 Civ. 9703 (56 Does)	1	1
11 Civ. 9705 (115 Does)	3	3
11 Civ. 9706 (138 Does)	0	0
12 Civ. 0129 (36 Does)	1	1
12 Civ. 1077 (82 Does)	0	0
12 Civ. 1169 (154 Does)	Motion for Discovery still pending	Motion for Discovery still pending

(3)As for John Does who apply to remain anonymous, attached is a Sample Form that the Maryland District Court uses for John Does who request to remain anonymous to provide their contact information to the Clerk of the Court.

Sincerely,

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SO ORDERED:

K_B

3 15/12 HON, KATHERINE B. FORREST **UNITED STATES DISTRICT JUDGE**

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