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*Attorney for Defendant DOE #21*

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

THIRD DEGREE FILMS, INC.,  
Plaintiff,  
vs.  
DOES 1-216,  
Defendants.

Case No. 11-CV-09618 (PAE)

**NOTICE OF MOTION**

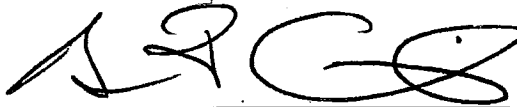
PLEASE TAKE NOTICE that upon the accompanying memorandum of law, dated March 2, 2012, and upon all the prior pleadings and proceedings herein, defendant DOE #21, by his attorneys Codispoti & Associates, P.C., will hereby move this Court, at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY, 10007-1312, and at such time and place as the Court shall schedule, for an order:

(a) dismissing the complaint against Doe #21 or, in the alternative severing DOE #21 from this Action on the grounds of misjoinder, pursuant to FedR.Civ.Proc. 21; and

(b) quashing or staying execution of the subpoena issued by plaintiff in this Action to DOE #21's internet service provider, pursuant to FedR.Civ.Proc. 45(c)(3); and such other and further relief as the Court deems just and proper.

Dated: March 2, 2012  
New York, New York

CODISPOTI & ASSOCIATES, P.C.

By: 

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