

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN WILEY & SONS, INC., :

Plaintiff, :

-against- :

12 Civ. 2400 (SAS)

JOHN DOE NOS. 1-35, :

Defendants. :

- - - - - x

PLAINTIFF'S EX PARTE APPLICATION FOR  
AN ORDER AUTHORIZING THE ISSUANCE OF  
SUBPOENAS ON CERTAIN ISPS TO DETERMINE  
THE IDENTITY OF DEFENDANTS

Plaintiff hereby moves pursuant to Rule 26(d) of the Federal Rules of Civil Procedure for an order authorizing plaintiff to serve subpoenas on the following Internet Service Providers: Comcast Cable Communications; Fresh Direct, Inc.; Frontier Communications of America, Inc.; CSC Holdings, LLC (Optimum Online®, Bresnan Communications LLC); Time Warner Cable, Inc. (Roadrunner Holdco LLC); Verizon Online LLC (Verizon Internet Services); and We Link Networks LLC (collectively, "the ISPs") to determine the identity of defendants John Doe Nos. 1-35, which are presently unknown to plaintiff.

The basis for this application is set forth in the accompanying declaration of William Dunnegan, sworn to April 4, 2012.

A proposed order is annexed as Exhibit A, which annexes the proposed subpoenas.

Dated: New York, New York  
April 4, 2012

DUNNEGAN & SCILEPPI LLC

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