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LIBERTY MEDIA HOLDINGS, LLC

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

LIBERTY MEDIA HOLDINGS, LLC

Plaintiff,

vs.

HAWAII MEMBERS OF SWARM
OF NOVEMBER 15, 2010 TO
JANUARY 27, 2011,
SHARING HASH FILE
AE340D0560129AFEE8D78CE07F23
94C7B5BC9C05; AND DOES 1
through 12,
Defendants.

Case No. 1:11-cv-00262 DAE-RLP
(Copyright)

**PLAINTIFF'S *EX-PARTE* MOTION
FOR ORDER AUTHORIZING
ADDITIONAL EARLY DISCOVERY
AND ADDITIONAL TIME FOR
SERVICE UNDER RULES 26(d) AND
4(m), FRCP; MEMORANDUM IN
SUPPORT OF MOTION;
DECLARATION OF COUNSEL;
CERTIFICATE OF SERVICE**

NON-HEARING MOTION

PLAINTIFF'S EX-PARTE MOTION FOR ORDER AUTHORIZING ADDITIONAL EARLY DISCOVERY AND ADDITIONAL TIME FOR SERVICE UNDER RULES 26(d) AND 4(m), FRCP

Plaintiff LIBERTY MEDIA HOLDINGS, LLC (“Plaintiff” or “Liberty”), by and through its attorneys undersigned, respectfully move this Court, *Ex-Parte* and without a hearing, for an order (1) authorizing Plaintiff to conduct additional limited early discovery solely for the purpose of identifying the remaining Doe Defendants, through written discovery requests and/or depositions of those Internet subscribers who were identified by the ISPs pursuant to early discovery previously authorized by this Court and; (2) extending the time within which Plaintiff may serve the remaining Doe Defendants for up to 90 days following the issuance of the requested order.

Plaintiff is requesting the additional early discovery and additional time to serve in order to ensure that the defendants Plaintiff identifies and serves in this matter are the individuals who engaged in direct and/or contributory copyright infringement of Plaintiff’s copyrighted work.

Plaintiff makes this Motion pursuant to Rules 4(m), 7, and 26(d), Fed. R. Civ. P, and *Ex-Parte* pursuant to Local Rule 7.2(d). This Motion is supported by Plaintiff’s Memorandum of Law in Support of the Motion and Declaration of Counsel attached. Plaintiff is serving the Internet subscribers from whom the

additional discovery is sought with a copy of this motion. A proposed Order is submitted herewith and will be provided to chambers via email.

DATED: Honolulu, Hawaii, September 13, 2011.

SETH M REISS, AAL, ALLLC
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/s/ Seth M. Reiss

SETH M. REISS
MARC J. RANDAZZA

Attorneys for Plaintiff
LIBERTY MEDIA HOLDINGS, LLC