

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEW SENSATIONS, INC.,

Plaintiff,

-v-

JOHN DOES 1-32,

Defendants.
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12 Civ. 3534 (PAE)

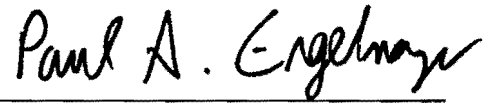
ORDER

PAUL A. ENGELMAYER, District Judge:

On September 28, 2012, defendant Doe #22 filed a motion to quash the subpoena to his internet service provider, Verizon, seeking documents demonstrating his identity and other personal information, and to sever and dismiss this action (Dkt. 12). Doe #22 argues that he is improperly joined in this suit, because, as he asserts, he never downloaded the movie in question. However, this Court has already held that joinder is proper at this stage of the litigation. *See New Sensations, Inc. v. Does 1-32*, No. 12 Civ. 3534 (PAE), 2012 WL 3100816, at *2 (S.D.N.Y. July 30, 2012). Doe #22 urges the Court to nevertheless exercise its discretion and not permit joinder as to Doe #22. Although the Court is amenable to considering such a motion upon a more fulsome showing that joinder is inappropriate, Doe #22's bare assertion that he did not download the movie, without more, is insufficient, and his motion to quash the subpoena is, therefore, denied. Doe #22 also requests to proceed anonymously in this litigation. Plaintiff does not oppose that request. Pl. Br. at 1. Accordingly, that request is granted.

The Clerk of Court is directed to terminate the motion at docket number 12.

SO ORDERED.

Handwritten signature of Paul A. Engelmayer in black ink.

Paul A. Engelmayer
United States District Judge

Dated: October 11, 2012
New York, New York