

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PEARSON EDUCATION, INC., :  
JOHN WILEY & SONS, INC., :  
CENGAGE LEARNING INC. AND :  
THE MCGRAW-HILL COMPANIES, INC., :

Plaintiffs,

-against-

07 Civ. 8028 (CM)

JOHN DOE D/B/A LPE BOOKSTORE :  
D/B/A KBS AND JOHN DOES :  
NOS. 1-5, :

Defendants.

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ORDER ALLOWING SERVICE BY E-MAIL AND MAIL  
AND SERVICE OF SUBPOENAS TO ASCERTAIN THE  
IDENTITY AND LOCATION OF DEFENDANTS

Upon the application of plaintiffs Pearson Education, Inc., John Wiley & Sons, Inc., Cengage Learning Inc. and The McGraw-Hill Companies, Inc., as set forth in the annexed declaration of William Dunnegan, dated October 2, 2007, for an order (i) pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure allowing service by e-mail and U.S. mail of the summons and complaint on defendant John Doe d/b/a LPE Bookstore d/b/a KBS in this action, and (ii) pursuant to Rule 26(d) of the Federal Rules of Civil Procedure allowing service of subpoenas on AbeBooks Inc. ("AbeBooks"), Google Inc. ("Google"), PayPal, Inc.

("PayPal") and eBay, Inc. ("eBay") to ascertain the true identities and locations of defendants John Doe d/b/a LPE Bookstore d/b/a KBS and John Doe Nos. 1-5, and good cause for that relief appearing, it is hereby

ORDERED, pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure, that plaintiffs may serve the summons and complaint in this action upon defendant John Doe d/b/a LPE Bookstore d/b/a KBS by e-mailing a copy of each, along with a copy of this order, in .pdf format to the e-mail address lowprice.edition@gmail.com as well as mailing a copy of each, along with a copy of this order, to the defendant's last known address of 1011 East Orange Street, #63, Tempe, Arizona 85281 in a envelope bearing the legend "personal and confidential" and not indicating on the outside that the communication is from an attorney or concerns an action against the person to be served; and it is further

ORDERED that service shall be deemed complete upon the filing of a declaration with the Clerk of the Court affirming that the e-mail and mailing has been sent in conformity with this order; and it is further

ORDERED, pursuant to Rule 26(d) of the Federal Rules of Civil Procedure, that plaintiffs may serve subpoenas on AbeBooks, Google, PayPal and eBay to identify

and locate defendants John Doe d/b/a LPE Bookstore d/b/a  
KBS and John Does Nos. 1-5 in this action.

Dated: New York, New York  
October \_\_, 2007

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U.S.D.J.