

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. 9601 (RJH)
ECF CASE

JOHN DOE D/B/A TOM DANIELS :
D/B/A C BOOKS D/B/A :
CTRADE-BOOKS D/B/A REDAPPLE :
D/B/A LLBOOKS 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 November 26, 2007, for an order (i) pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure allowing service by e-mail and mail of the summons and complaint on defendant John Doe d/b/a Tom Daniels d/b/a C_Books d/b/a Ctrade-Books d/b/a RedApple d/b/a LLBooks in this action, and (ii) pursuant to Rule 26(d) of the Federal Rules of Civil Procedure allowing service of subpoenas on Google Inc. ("Google"), PayPal,

Inc. ("PayPal"), eBay, Inc. ("eBay"), Biblio, Inc. ("Biblio") and Valore Exchange LLC ("Valore") to ascertain the true identities and locations of defendants John Doe d/b/a Tom Daniels d/b/a C_Books d/b/a Ctrade-Books d/b/a RedApple d/b/a LLBooks 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 plaintiff may serve the summons and complaint in this action upon defendant John Doe d/b/a Tom Daniels d/b/a C_Books d/b/a Ctrade-Books d/b/a RedApple d/b/a LLBooks by e-mailing a copy of each, along with a copy of this order, in .pdf format to the e-mail addresses cbooks12@gmail.com and ilikeapple12@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 583 Brandon Avenue, Charlottesville, Virginia 22903-3366 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 Google, PayPal, eBay, Valore, and Biblio to identify and locate defendants John Doe d/b/a Tom Daniels d/b/a C_Books d/b/a Ctrade-Books d/b/a RedApple d/b/a LLBooks and John Does Nos. 1-5 in this action.

Dated: New York, New York
November __, 2007

U.S.D.J.