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The Honorable Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Riding Films, Inc.,

Plaintiff,

v.

Does 1-64,

Defendants.

NO. 2:13-cv-00288 RAJ-RSL

**DECLARATION OF JOAN K. MELL
IN SUPPORT OF MOTION TO
QUASH SUBPOENA RELATING TO
DEFENDANT DOE 46 LISTED AS IP
ADDRESS 24.17.150.225**

I, Joan K. Mell, make the following declaration under oath and subject to penalty of perjury under the laws of the United States of America:

1. I am the attorney for Doe 46 in this matter. I am over the age of eighteen and am competent to testify in this matter. My declaration is based upon my personal knowledge and my familiarity with the files and records in this case. I make this declaration in support of Doe 46's Motion to Quash Subpoena.

2. Attached hereto as Exhibit A is a true and correct copy of the letter received by Doe 46 from Comcast. Comcast is Doe 46's internet and telephone service provider.

///

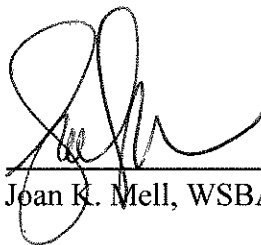
///

III BRANCHES LAW, PLLC
Joan K. Mell
1033 Regents Blvd. Ste. 101
Fircrest, WA 98466
joan@3brancheslaw.com
253-566-2510 ph
281-664-4643 fx

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3. The above is true and correct to the best of my ability.

SIGNED AND DATED this 13th day of May 2013, at Fircrest, WA.



Joan K. Mell, WSBA # 21319

Exhibit A



NE&TO
650 Centerton Road
Moorestown, NJ 08057
866-947-8572 Tel
866-947-5587 Fax

April 12, 2013

Personal and Confidential

Via UPS & USPS Delivery



Re: *Riding Films, Inc. v. Does 1-65*
United States District Court for the Western District of Washington
Docket No.: 2:13-cv-00288
Order Entered: February 25, 2013
Comcast File #: 457806

Dear 

Riding Films, Inc. has filed a federal lawsuit in the United States District Court for the Western District of Washington. You have been identified in our records via your assigned Internet Protocol ("IP") address, which is unique to each internet user, in this lawsuit for allegedly infringing Riding Films, Inc.'s copyrights on the Internet by uploading ~~or downloading~~ a movie without permission. This was allegedly done using a device assigned the IP address 24.17.150.225 on 10/22/12 04:24:29 AM GMT. The court has ordered Comcast to supply your name, address and other information to Riding Films, Inc. in the attached Order and accompanying Subpoena. The case has been assigned Docket Number 2:13-cv-00288 by the court. If you have any questions about the lawsuit, you should consult an attorney immediately. **Comcast cannot and will not provide any legal advice.**

Comcast will provide your name, address, and other information as directed in the Order and Subpoena unless you or your attorney file a protective motion to quash or vacate the Subpoena in the court where the subpoena was issued **no later than May 13, 2013**. If you make this filing, you must notify Comcast in writing with a copy and proof of filing by sending it via fax to (866) 947-5587 **no later than May 13, 2013**. Please note that Comcast cannot accept or file any legal action on your behalf. If you do not file a motion to quash or vacate the Subpoena by this date, or if you fail to notify Comcast of your filing by this date, Comcast will provide your name, address and other information as directed in the Order to the Plaintiff.

If you have legal questions about this matter, please contact an attorney.

Sincerely yours,

Comcast Legal Response Center

Attachments: Copy of Subpoena and accompanying Court Order regarding civil action

IP Address	HitDateUTC (MM/DD/YY)
71.231.140.196	10/21/12 02:08:02 AM
71.231.132.67	10/21/12 06:47:02 PM
24.21.76.121	10/21/12 01:55:31 PM
67.168.41.174	10/21/12 03:33:02 AM
71.193.163.86	10/21/12 06:05:16 PM
67.168.176.39	10/21/12 05:13:05 AM
24.18.208.80	10/21/12 12:22:59 PM
24.17.170.158	10/21/12 04:39:10 AM
71.197.177.96	10/21/12 03:50:55 PM
67.183.108.9	10/21/12 10:59:30 AM
67.185.177.144	10/21/12 01:38:06 PM
24.19.111.218	10/21/12 07:04:33 AM
24.17.162.28	10/21/12 08:16:58 AM
67.171.18.43	10/22/12 10:58:46 AM
24.19.143.114	10/22/12 07:47:35 AM
67.168.239.58	10/22/12 06:58:54 AM
98.203.208.228	10/22/12 08:01:14 PM
67.160.75.77	10/22/12 07:37:53 PM
24.22.59.124	10/22/12 05:05:40 AM
67.170.57.16	10/22/12 02:03:32 AM
71.231.17.202	10/22/12 12:23:30 AM
76.121.213.72	10/22/12 05:04:42 AM
67.160.183.147	10/22/12 01:24:25 AM
50.132.57.170	10/22/12 02:48:40 AM
98.237.226.54	10/22/12 06:03:44 AM
76.121.14.115	10/22/12 08:16:06 PM
71.231.143.254	10/22/12 06:09:04 AM
50.137.6.159	10/22/12 12:37:16 AM
71.59.185.218	10/22/12 01:15:12 AM
98.247.139.17	10/22/12 12:53:04 AM
24.19.148.35	10/22/12 12:47:19 AM
174.61.182.92	10/22/12 11:36:14 AM
24.17.150.225	10/22/12 04:24:29 AM
174.61.214.94	10/22/12 04:02:04 AM
50.135.211.41	10/22/12 06:02:11 AM

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Washington

Riding Films Inc.)
Plaintiff)
v.) Civil Action No. 13-00288
DOES 1-65)
Defendant) (If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Comcast

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: All Names, Emails and Addresses associated with the IP addresses provided in attached list.

Place: Frontier Law Group, PLLC
1001 4th Avenue, Suite 3200
Seattle, WA 98154
Date and Time: 04/15/2013 0:00 am

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:
Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 03/15/2013

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk s/Richard J. Symmes/ Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) , who issues or requests this subpoena, are:

Richard J. Symmes
1001 4th Avenue, Suite 3200
Seattle, WA 98154 Ph:206-682-7975, Fax: 206-424-4691, Richard@symmeslaw.com

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RIDING FILMS, INC.,

Plaintiff,

v.

DOES 1 - 65,

Defendants.

Case No. C13-0288JLR-RSL

ORDER GRANTING LEAVE FOR
PRELIMINARY DISCOVERY

This matter comes before the Court on plaintiff's "Motion for Leave to Take Discovery Prior to Rule 26(f) Conference." Dkt. # 3. Because plaintiff cannot identify the Doe defendants without taking discovery from internet service providers regarding each defendant's IP address, plaintiff's motion is GRANTED.

Plaintiff may initiate discovery, including the issuance of subpoenas under Fed. R. Civ. P. 45, on internet service providers seeking information sufficient to identify each Doe defendant, including his or her name, address, email address, and Media Access Control address. An internet service provider ("ISP") served with a subpoena authorized by this Order shall give written notice, which includes email notice, and a copy of the subpoena to any affected subscriber(s) as soon as possible after service of the subpoena. The ISP and/or any affected subscriber(s) shall have thirty (30) days from the date of

ORDER GRANTING LEAVE FOR
PRELIMINARY DISCOVERY - 1

1 service of the subpoena on the ISP to object to the subpoena pursuant to Fed. R. Civ. P.
2 45(c)(2)(B). The ISP shall not disclose defendants' identifying information during the
3 30-day period or if a timely objection is served unless and until the Court orders it to do
4 so. If an objection is served, the ISP shall preserve any material responsive to the
5 subpoena for a period of six months in order to allow plaintiff to move for an order
6 compelling production under Fed. R. Civ. P. 45(c)(2)(B)(i). If no objection is served, the
7 ISP shall comply with the subpoena within ten (10) days.

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9 Plaintiff shall provide a copy of this Order with each subpoena issued
10 pursuant thereto.

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12 Dated this 25th day of February, 2013.

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Robert S. Lasnik
United States District Judge

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ORDER GRANTING LEAVE FOR
PRELIMINARY DISCOVERY - 2