

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:11-cv-00308-JLK

RIGHTHAVEN LLC, a Nevada limited-liability company,

Plaintiff,

v.

UK-2 LIMITED, a United Kingdom corporation; and
AIRLINE WORKERS UNITE, an entity of unknown origin and nature,

Defendants.

**UNOPPOSED MOTION FOR ISSUANCE OF SUBPOENA
DUCES TECUM DIRECTED TO UK-2 LIMITED**

Righthaven LLC (“Righthaven”) herein requests this Court to permit Righthaven to serve a subpoena duces tecum upon UK-2 Limited (“UK-2”) prior to the occurrence of the conference required by Fed.R.Civ.P. 26(f) and avers in support thereof as follows:

UK-2 is, and has been at all times relevant to this lawsuit, a United Kingdom corporation with a place of business in Utah. UK-2 is identified by the current registrar, ENOM, Inc. (“ENOM”), as the registrant, administrative and technical contact of the Internet domain found at <airlineworkersunite.com> (the “Domain”). The content accessible through the Domain and the Domain itself is known herein as the “Website.”

Righthaven is the owner of the copyright in and to a photograph entitled: “TSA Agent performs enhanced pat-downs” (the “Work”), which is attached to Righthaven’s Complaint, filed in the above-captioned action as Exhibit 1 (Docket No. 1-1). The Work was willfully reproduced on the Website, on an unauthorized basis. Righthaven filed a Complaint against UK-2 for copyright infringement on February 4, 2011 (Docket No. 1).

UK-2 contacted Righthaven on or about March 28, 2011, and indicated that it is not the true owner of the Domain. Righthaven does not know the identity of the individual(s) that own and operate the Domain and the only way for Righthaven to obtain such information is from UK-2. As set forth in the attached Affidavit of Righthaven staff attorney, Steven G. Ganim, Esq. (hereinafter the "Affidavit"), UK-2 will not provide any information regarding the identity of the owner/operator(s) of the Domain, absent a court-ordered subpoena. The Affidavit is attached hereto as Exhibit A.

Righthaven seeks leave to serve the subpoena on UK-2 prior to the conference provided for in Fed.R.Civ.P. 26(f), since Righthaven's only means of obtaining the identity of the individual(s) who has committed copyright infringement in the instant matter is through this threshold discovery request. The proposed subpoena, attached hereto as Exhibit B, seeks disclosure of identifying information for the individuals who own, administer, and/or manage the Domain. Without access to the aforementioned information, Righthaven shall have no means to obtain an adequate remedy against the individual(s) who has caused harm to Righthaven through the copyright infringement of the Work.

WHEREFORE Righthaven respectfully requests this Court to grant Righthaven leave to serve a subpoena duces tecum on UK-2 prior to the Fed.R.Civ.P. 26(f) conference, for information regarding the individual(s) that owns and operates the Domain and any such further relief the Court deems just and proper.

Dated this 8th day of April, 2011.

By: /s/ Steven G. Ganim
STEVEN G. GANIM, ESQ.
RIGHTHAVEN LLC
9960 West Cheyenne Avenue, Suite 210
Las Vegas, Nevada 89129-7701
Tel: (702) 527-5900
Fax: (702) 527-5909
sganim@righthaven.com

SHAWN A. MANGANO, ESQ.
SHAWN A. MANGANO, LTD.
9960 West Cheyenne Avenue, Suite 170
Las Vegas, Nevada 89129-7701
Tel: (702) 304-0432
Fax: (702) 922-3851
shawn@manganolaw.com

Attorneys for Plaintiff Righthaven LLC