

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CP PRODUCTIONS, INC.,)
)
 Plaintiff,)
)
 v.) No. 10 C 6255
)
 DOES 1-300,)
)
 Defendants.)

MEMORANDUM ORDER

CP Productions, Inc. ("CP") has filed a Complaint in which its targeted defendants are identified as "Does 1-300." This is not however a situation comparable to one that this Court has found problematic in the past, in which infringement of some intellectual property right has not yet occurred but it anticipated. Instead the situation is more like that in Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971), in which an asserted violation of a plaintiff's rights has taken place but the identity of the violator or violators is not known but is expected to be learned during the course of discovery.

That being the case, it appears that the Complaint is properly viable at this point. Accordingly this Court is contemporaneously issuing its customary initial scheduling order, but it is setting a somewhat later initial status hearing date.



Milton I. Shadur
Senior United States District Judge

Date: October 4, 2010