

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Blanche M. Manning	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	10 C 5603	DATE	May 5, 2011
CASE TITLE	<i>Millenium TGA v. Doe</i>		

DOCKET ENTRY TEXT

For the reasons stated below, potential defendant IP number 68.239.158.137's motion for reconsideration [#61] is denied. The plaintiff has until May 18, 2011, to respond to potential defendant IP number 68.239.158.137's renewed motion to quash, and potential defendant IP number 68.239.158.137 has until June 1, 2011, to file a reply. Ruling will be by mail. All discovery, including any outstanding subpoena, is stayed pending the ruling on the renewed motion to quash. Status set for May 12, 2011, is reset to June 23, 2011, at 11 a.m.

■ [For further details see text below.]

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STATEMENT

Potential defendant IP number 68.239.158.137 has filed a motion to reconsider the order severing all of the defendants except it. Potential defendant IP number 68.239.158.137 contends that it is unfair to keep it in the case because it requested that it be severed and keeping it gives the appearance of penalizing it for defending itself. Potential defendant IP number 68.239.158.137 suggests that the first Doe defendant be kept in the case. But the potential Doe defendants are simply a fiction—at the time, there was no person associated with Doe defendant #1. The court chose, in the exercise of its discretion, the first potential defendant who had identified himself with an IP address. Having considered potential defendant IP number 68.239.158.137's arguments that it should have been one of the Doe defendants that was severed, the court denies the motion.