

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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MALIBU MEDIA, LLC,	:	
	:	
Plaintiff,	:	Civil Action No. 12-cv-01156-JFB-ETB
	:	
vs.	:	
	:	
JOHN DOES 1-13,	:	
	:	
Defendants.	:	
	:	
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MOTION FOR CLARIFICATION OF THIS COURT’S ORDER (DOCKET # 10)

Plaintiff, Malibu Media, LLC, moves for the entry of an order clarifying this Court’s order (Docket # 10), and states:

1. Plaintiff seeks clarification of the Court’s order regarding the information it has already received from the Internet Service Providers.

2. On May 10, 2012, this Court issued an Order stating, “[p]ending a decision on the John Doe pro se motion, filed on April 26, 2012, to ‘Dismiss/Sever and for a Protective Order and/or to Quash Subpoena,’ the court sua sponte stays enforcement of the subpoenas issued by plaintiff, Malibu Media, LLC, dated March 28, 2012, addressed to Optimum Online and Verizon Internet Services and returnable May 12, 2012.”

3. Plaintiff will not take any action to further enforce the subpoenas.

4. Plaintiff has complied with this Court’s order by notifying both Optimum Online and Verizon Internet Services of the Order and directing them to suspend compliance with the subpoenas until the Court rules on Defendant’s Motion.

5. In an abundance of caution, Plaintiff advises the Court that on May 7, 2012, Plaintiff received the identities of 6 Defendants from Verizon Internet Services.

6. As the Court's order does not expressly prohibit Plaintiff from serving Defendants in this case, Plaintiff respectfully requests permission to serve the previously named Defendants.

WHEREFORE, Plaintiff respectfully requests that this Court enter an order clarifying its previous Order [Dkt. #10], with respect to service on the named Defendants in this case.

Dated: May 17, 2012

Respectfully submitted,

By: /s/ Jason Kotzker
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CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Jason Kotzker