

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

WEST COAST PRODUCTIONS, INC.,)
)
Plaintiff,)
) Civil Action No.
v.) 5:12-cv-00277-RS-EMT
)
DOES 1-581,)
)
Defendants.)
_____)

DOE 9'S DECLARATION IN SUPPORT OF MOTION TO QUASH, ETC.

I, "Doe 9," the Internet accountholder for the I.P. address identified as **98.228.238.130**, hereby declare under penalty of perjury:

1. I make this Declaration anonymously so as not to disclose my identity or personally identifying information.

2. I am not the alleged infringer, and I did not download, encourage anyone to download, or assist anyone in downloading the film(s) that this lawsuit is about.

3. I reside, and have always resided, outside the state of Florida. At all times relevant herein, I have resided in the state of Illinois.

4. I have no reason to be associated with a lawsuit in Florida, as I have no contacts with Florida. I have not committed any torts in the state of Florida; I have never

operated a business or carried on any business in Florida; I never had an account for Internet services in Florida; and I have not caused any injury to any persons or property in Florida.

5. I have attached hereto this Declaration a copy of IP details for 98.228.238.130, which estimates, based on my IP address, that I reside in or near Arlington Heights, Illinois.

6. I received a letter from Comcast, a true and correct copy of which is attached, which attaches a copy of a subpoena seeking my personally identifying information.

7. The letter is attached my address where I live in Arlington Heights, Illinois, outside the state of Florida; however, I have redacted my actual address to retain privacy.

8. The subpoena is issued from the "Northern District of Florida."

9. The subpoena asks Comcast, which is located in Moorestown, New Jersey, to produce documents at the "Place" of "DunlapWeaver," which is located in Naples, FL.

10. I am afraid that Plaintiff will threaten to or try to associate my name publicly with a pornographic or obscene film, or will try to harass me. I am afraid that Plaintiff may try to embarrass or harass me into paying them money, which would be unjust.

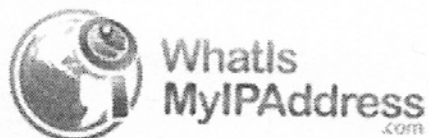
11. I do not want my subscriber information to be released to Plaintiff or its attorneys.

12. Continued inclusion in the instant lawsuit in this court would be a great inconvenience, annoyance, embarrassment, and oppression for me, and would cause an undue burden or expense.

13. Should this Court require or request me to do so, I will file a notarized version of this declaration that includes my personal information. However, I will seek to file such document under seal.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Doe 9



[My IP](#) | [IP Lookup](#) | [Blacklist Check](#) | [Trace Email](#) | [Speed Test](#) | [Hide IP](#) | [Change IP](#) | [IP Tools](#) | [FAQs](#) | [Forums](#) |

IP Details for 98.228.238.130

This information should not be used for emergency purposes, trying to find someone's exact physical address, or other purposes that would require 100% accuracy. Please read about [geolocation accuracy](#) for more information.


Quick Links:

- [General IP Information](#)
- [Geolocation Information](#)
- [Geolocation Map](#)
- [Comments about this IP address](#)

General IP Information

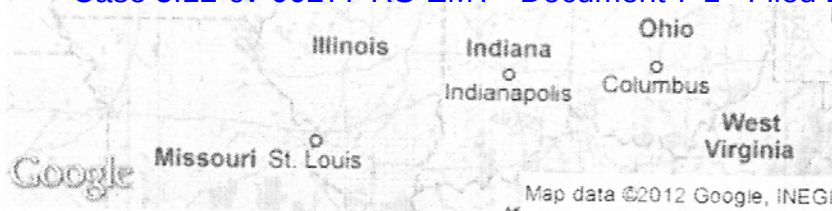
IP: 98.228.238.130
Decimal: 1659170434
Hostname: c-98-228-238-130.hsd1.il.comcast.net
ISP: Comcast Cable
Organization: Comcast Cable
Services: None detected
Type: [Broadband](#)
Assignment: [Dynamic IP](#)
Blacklist:

Geolocation Information

Country: United States 
State/Region: Illinois
City: Arlington Heights
Latitude: 42.0643
Longitude: -87.9921
Area Code: 847
Postal Code: 60005

Geolocation Map





User Comments

No comments. Be the first to add one.

Enter up to 500 characters in your comment about this IP address.

Submit comment

Related Articles

- [How accurate is geolocation?](#)
- [How do I hide my IP address?](#)
- [How do I change my IP address?](#)
- [What is a proxy server?](#)

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

October 10, 2012

Personal and Confidential

Via UPS Delivery

ARLINGTON HEIGHTS, IL

Re: *West Coast Productions, Inc. v. John Does 1-581*
United States District Court for the Northern District of Florida
Docket No.: 5:12-cv-00277
Order Entered: September 4, 2012
Comcast File #: 305798

Dear [REDACTED]

West Coast Productions, Inc. has filed a federal lawsuit in the United States District Court for the Northern District of Florida. 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 West Coast Productions, 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 98.228.238.130 on 06/24/2011 06:57:29 AM GMT. The court has ordered Comcast to supply your name, address and other information to West Coast Productions, Inc. in the attached Order and accompanying Subpoena. The case has been assigned Docket Number 5:12-cv-00277 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 unless you or your attorney file something with the Northern District of Florida such as a motion to quash or vacate the Subpoena no later than November 9, 2012. Should you choose to contest the release of your information by filing legal process with the court, it must be filed in the same court where the lawsuit is filed. 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 November 9, 2012. **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 on the next business day after November 9, 2012.

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

Sincerely yours,

Comcast Legal Response Center

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

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

Northern District of Florida

West Coast Productions, Inc.

Plaintiff

v.

DOCS 1 - 581

Defendant

Civil Action No. 5:12-cv-277-RS-EMT

(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 Communications

☒ **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: Pursuant to the attached order, provide the name, current (and permanent) addresses, telephone numbers, e-mail address, and Media Access Control addresses of the individual(s) identified by IP address 98.228.238.130 only if said individual is currently a Comcast customer.

| | |
|--|---------------------------------------|
| Place: DunlapWeaver 780 5th Avenue South, Ste 200 Naples, FL 34102 | Date and Time: 11/10/2012 10:00 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: 09/07/2012

CLERK OF COURT



OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Plaintiff
West Coast Productions, Inc. who issues or requests this subpoena, are:
Jeffrey Weaver, DunlapWeaver, 199 Liberty Street SW, Leesburg, VA 20175; jweaver@dunlapweaver.com;
703-777-7319

06/26/2012 WED 11:17 PM

| No. | IP Address | Hit Date | ISP |
|-----|----------------|------------------------|---------------|
| 1 | 88.39.204.84 | 2011-06-23 10:29:50 PM | Comcast Cable |
| 2 | 98.243.88.128 | 2011-06-23 10:34:03 PM | Comcast Cable |
| 3 | 24.82.1.183 | 2011-06-23 10:52:05 PM | Comcast Cable |
| 4 | 76.31.248.137 | 2011-06-24 12:22:01 AM | Comcast Cable |
| 5 | 68.43.40.103 | 2011-06-24 01:49:00 AM | Comcast Cable |
| 6 | 98.208.30.182 | 2011-06-24 02:35:21 AM | Comcast Cable |
| 7 | 67.185.158.228 | 2011-06-24 04:13:42 AM | Comcast Cable |
| 8 | 67.181.14.144 | 2011-06-24 05:03:47 AM | Comcast Cable |
| 9 | 98.228.238.130 | 2011-06-24 06:57:29 AM | Comcast Cable |
| 10 | 76.115.224.77 | 2011-06-24 07:45:57 AM | Comcast Cable |
| 11 | 24.118.44.45 | 2011-06-24 09:13:48 AM | Comcast Cable |
| 12 | 67.170.223.44 | 2011-06-24 11:52:50 AM | Comcast Cable |
| 13 | 24.60.236.12 | 2011-06-24 01:29:14 PM | Comcast Cable |
| 14 | 68.54.17.79 | 2011-06-24 05:19:54 PM | Comcast Cable |
| 15 | 69.181.184.53 | 2011-06-24 05:42:51 PM | Comcast Cable |
| 16 | 65.34.208.222 | 2011-06-24 07:53:28 PM | Comcast Cable |
| 17 | 71.229.157.176 | 2011-06-24 09:05:17 PM | Comcast Cable |
| 18 | 24.5.34.44 | 2011-06-24 10:14:14 PM | Comcast Cable |
| 19 | 67.168.210.87 | 2011-06-24 11:08:14 PM | Comcast Cable |
| 20 | 98.224.182.123 | 2011-06-25 12:33:57 AM | Comcast Cable |
| 21 | 67.183.250.184 | 2011-06-25 01:45:07 AM | Comcast Cable |
| 22 | 107.5.37.241 | 2011-06-25 01:49:35 AM | Comcast Cable |
| 23 | 67.173.200.92 | 2011-06-25 02:30:22 AM | Comcast Cable |
| 24 | 68.52.32.196 | 2011-06-25 02:49:06 AM | Comcast Cable |
| 25 | 98.240.109.110 | 2011-06-25 03:28:03 AM | Comcast Cable |
| 26 | 98.250.193.117 | 2011-06-25 04:29:02 AM | Comcast Cable |
| 27 | 98.202.112.246 | 2011-06-25 04:44:48 AM | Comcast Cable |
| 28 | 75.64.86.170 | 2011-06-25 05:00:35 AM | Comcast Cable |
| 29 | 76.31.135.18 | 2011-06-25 06:09:48 AM | Comcast Cable |
| 30 | 98.210.50.12 | 2011-06-25 06:38:47 AM | Comcast Cable |
| 31 | 98.234.230.2 | 2011-06-25 06:44:54 AM | Comcast Cable |
| 32 | 67.168.72.105 | 2011-06-25 06:51:54 AM | Comcast Cable |
| 33 | 98.227.172.216 | 2011-06-25 03:06:07 PM | Comcast Cable |
| 34 | 76.113.178.6 | 2011-06-25 08:45:38 PM | Comcast Cable |
| 35 | 174.80.8.102 | 2011-06-26 01:06:29 AM | Comcast Cable |
| 36 | 98.236.85.246 | 2011-06-26 06:31:52 AM | Comcast Cable |
| 37 | 98.207.55.68 | 2011-06-26 07:02:14 AM | Comcast Cable |
| 38 | 98.238.154.39 | 2011-06-26 08:33:48 AM | Comcast Cable |
| 39 | 98.243.17.204 | 2011-06-26 03:41:42 PM | Comcast Cable |
| 40 | 89.255.204.99 | 2011-06-26 04:02:45 PM | Comcast Cable |
| 41 | 67.177.9.42 | 2011-06-26 06:36:14 PM | Comcast Cable |
| 42 | 71.194.220.71 | 2011-06-26 07:43:08 PM | Comcast Cable |
| 43 | 98.222.105.112 | 2011-06-26 08:59:51 PM | Comcast Cable |
| 44 | 89.137.174.55 | 2011-06-26 09:03:16 PM | Comcast Cable |
| 45 | 98.229.213.15 | 2011-06-26 10:14:33 PM | Comcast Cable |
| 46 | 67.162.20.89 | 2011-06-27 12:12:51 AM | Comcast Cable |
| 47 | 24.6.50.94 | 2011-06-27 12:25:41 AM | Comcast Cable |
| 48 | 67.182.12.97 | 2011-06-27 12:32:32 AM | Comcast Cable |
| 49 | 68.48.113.126 | 2011-06-27 03:06:09 AM | Comcast Cable |
| 50 | 67.186.225.28 | 2011-06-27 03:43:13 AM | Comcast Cable |

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

WEST COAST PRODUCTIONS, INC.,

Plaintiff,

v.

CASE NO. 5:12-cv-277-RS-EMT

DOES 1-581,

Defendants.

ORDER

The relief requested in Plaintiff's Motion for Leave to Take Discovery Prior to Rule 26(f) Conference (Doc. 5) is **GRANTED**. Good cause exists to permit expedited discovery in copyright infringement cases where Plaintiff (1) makes a prima facie showing on infringement, (2) there is no other way to identify the Doe Defendants, and (3) there is a risk an ISP will destroy its logs prior to the conference. *See UMG Recording, Inc. v. Doe*, 2008 WL 4104214, at *4 (N.D. Cal. 2008); *Arista Records, LLC v. Does 1-19*, 551 F.Supp.2d. 1, 6-7 (D.D.C. 2008). Plaintiff has shown that there is good cause to take discovery prior to the Rule 26(f) Conference. Plaintiff is granted leave to issue Rule 45 subpoenas to the ISPs set forth in Exhibit A of the Complaint as well as to any intermediary ISPs that may be identified in the process.

ORDERED on September 4, 2012.

/s/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE