



To:
Cc:
Bcc:
Subject: Fw: Copyright infringement cases

FILED

OCT 31 2012

Clerk, U.S. District and
Bankruptcy Courts

From: dan krebs <hirsutechello@gmail.com>
To: [REDACTED]
Date: 10/15/2012 10:39 PM
Subject: re: Copyright infringement cases

Dear Judge Facciola,

I am writing in regards to recent copyright infringement cases that are before you.

In some cases, as in Case 1:11-cv-00058-RMU-JMF Document 23 you allowed plaintiff's discovery but place substantial limitations on the use of that knowledge. Here is an excerpt:

"However, I have decided to preclude plaintiff from communicating directly with the Doe defendants prior to plaintiff's naming these individuals as actual defendants in the complaint. Once they are named, further communications with them will require my permission... Finally, I am requiring plaintiff to name as actual defendants only those Doe defendants who it believes, in good faith, to be amendable to the assertion of jurisdiction by this Court over their persons and as to whom venue is proper in this forum."

In other cases, such as 1:11-cv-01741-JDB-JMF Document 49, it does not appear that any similar restrictions were placed on the use of information. In the most recent ruling as of 8/16/2012 you denied all motions to quash/sever/etc and dissolved the motion to stay discovery, but you imposed no conditions on that discovery.

Case 1:11-cv-00058-RMU-JMF Document 23 is a comprehensive document that illustrates an understanding of the situation, except for a few details of an 'insert name here' nature, the case is identical to 1:11-cv-01741-JDB-JMF. You wrote re: the conditions you imposed:

"I am firmly convinced that it would be a gross abuse of discretion for me not to impose certain conditions upon plaintiffs being permitted to take the jurisdictional discovery they seek. There is simply nothing ordinary about these cases and they require something more than ordinary judicial passivity while service is accomplished."

That's why I can't understand why your ruling in 1:11-cv-01741-JDB-JMF documents 49 and 50, approximately one week later, would not contain similar conditions, on any conditions at all on the use of information obtained from the ISPs. The plaintiff has begun the process of mailing what are effectively blackmail demands and calling Does in an effort to extort \$3,400 from each doe.

I wanted to ensure you were aware of this extrajudicial development and to respectfully ask for an explanation as to the different rulings in 11-cv-01741-JDB-JMF and 1:11-cv-00058-RMU-JMF.

Best Regards,
Dan

ATTACHMENT
11-058
11-1741