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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FEB 17 2004

LUTHER B. THOMAS, Clerk
By:  Deputy Clerk

MOTOWN RECORD COMPANY, L.P., a
California limited partnership;
FONOVISA, INC., a California
corporation; PRIORITY RECORDS LLC,
a California limited liability company;
LONDON-SIRE RECORDS INC., a
Delaware corporation; ATLANTIC
RECORDING CORPORATION, a
Delaware corporation; ELEKTRA
ENTERTAINMENT GROUP INC., a
Delaware corporation; WARNER BROS.
RECORDS INC., a Delaware corporation;
UMG RECORDINGS, INC., a Delaware
corporation; LOUD RECORDS, LLC, a
Delaware corporation; BMG MUSIC, a
New York general partnership; CAPITOL
RECORDS, INC., a Delaware corporation;
ARISTA RECORDS, INC., a Delaware
corporation; INTERSCOPE RECORDS, a
California general partnership;
MAVERICK RECORDING COMPANY, a
California joint venture; SONY MUSIC
ENTERTAINMENT INC., a Delaware
corporation; and VIRGIN RECORDS
AMERICA, INC., a California corporation,

Plaintiffs,

v.

DOES 1 – 252,

Defendants.

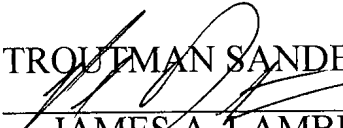
CIVIL ACTION FILE

No. ~~1:04-CV-0439~~

**PLAINTIFFS' MOTION FOR LEAVE TO TAKE EXPEDITED
DISCOVERY**

Pursuant to Fed. R. Civ. P. 26 (d) and Northern District of Georgia Local Rule 26.2, Plaintiffs move for an order granting Plaintiffs leave to issue and serve limited, immediate discovery on a third party Internet Service Provider (ISP”) to determine the true identities of Doe Defendants who are being sued for direct copyright infringement. The grounds for this Motion are set forth in Plaintiffs’ Memorandum of Law in Support of Motion for Expedited Discovery and the Declaration of Jonathan Whitehead, which are filed contemporaneously herewith. A proposed Order authorizing expedited discovery also is attached hereto.

This 17th day of FEBRUARY, 2004

TROUTMAN SANDERS LLP



JAMES A. LAMBERTH
Georgia Bar No. 431851
PETER J. DUITSMAN
Georgia Bar No. 232305

Attorneys for Plaintiffs
MOTOWN RECORD COMPANY,
L.P.; FONOVISA, INC.; PRIORITY
RECORDS LLC; LONDON-SIRE
RECORDS INC.; ATLANTIC
RECORDING CORP.; ELEKTRA
ENTERTAINMENT GROUP INC.;
WARNER BROS. RECORDS INC.;
UMG RECORDINGS, INC.; LOUD
RECORDS, LLC; BMG MUSIC;
CAPITOL RECORDS, INC.; ARISTA
RECORDS, INC.; INTERSCOPE
RECORDS; MAVERICK
RECORDING CO.; SONY MUSIC
ENTERTAINMENT INC.; and
VIRGIN RECORDS AMERICA, INC.

Suite 5200, Bank of America Plaza
600 Peachtree Street, N.E.
Atlanta, GA 30308-2216
(404) 885-3000 (voice)
(404) 885-3995 (facsimile)

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1(B)

I hereby certify that the foregoing Motion for Leave to Take Expedited Discovery has been prepared in a Times New Roman 14 point font, one of the font and point selections approved by the Court in Local Rule 5.1(B).



JAMES A. LAMBERTH
Georgia Bar No. 431851
PETER J. DUITSMAN
Georgia Bar No. 232305

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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v.

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Defendants.

CIVIL ACTION FILE

No. _____

**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO TAKE
EXPEDITED DISCOVERY**

Upon the motion of Plaintiffs for leave to take expedited discovery and the supporting Memorandum of Law, and the declaration of Jonathan Whitehead and the exhibit thereto, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on Cox Communications to obtain the identity of each Doe Defendant by serving a Rule 45 subpoena that seeks information sufficient to identify each Doe Defendant, including the name, address, telephone number, e-mail address, and Media Access Control addresses for each Defendant. The disclosure of this information is ordered pursuant to 47 U.S.C. § 551(c)(2)(B).

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

Dated: _____

United States District Judge