

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

AF HOLDINGS LLC,

*Plaintiff,*

v.

DOES 1 – 1,058,

*Defendants.*

No. 1:12-CV-00048-BAH

**NON-PARTY COMCAST CABLE COMMUNICATIONS, LLC'S  
SECOND NOTICE OF SUPPLEMENTAL AUTHORITY**

Non-Party Comcast Cable Communications, LLC respectfully requests that the Court take judicial notice pursuant to Federal Rule of Evidence 201 of the following decision, attached hereto, in support of its Opposition to Plaintiff's Motion to Compel, and in further support of its argument made at the hearing on April 27, 2012:

***Exhibit A.*** A May 1, 2012, Order & Report & Recommendation in *In Re: BitTorrent Adult Film Copyright Infringement Cases*, No. 2:11-cv-03995-DRH-GRB (E.D.N.Y.). This was a consolidated proceeding based on nearly identical circumstances to the above-captioned proceeding, which include allegations of large BitTorrent swarms and copyright infringement of adult films, as well as motions for early discovery of non-party IP addresses from various Internet service providers. In considering the motions and certain subscribers' motions to quash, Magistrate Judge Brown recommended that the district judges dismiss three of the four actions, except as the first numbered Doe because, among other things, joinder was inappropriate. Ex. A at 18-21. Magistrate Brown also recommended that one action be dismissed in its entirety due to absence of copyright registration for the film at issue.

Dated: May 4, 2012

Respectfully submitted,

*/s/ John D. Seiver* \_\_\_\_\_

John D. Seiver

Leslie G. Moylan

Lisa B. Zycherman

**DAVIS WRIGHT TREMAINE LLP**

1919 Pennsylvania Ave., N.W., Suite 800

Washington, DC 20006

(202) 973-4200

*Counsel for Non-Party Comcast Cable  
Communications Management, LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4<sup>th</sup> day of May 2012, true and correct copies of the foregoing document was served via ECF upon all counsel of record:

Paul A. Duffy  
PRENDA LAW INC.  
161 N. Clark Street  
Suite 3200  
Chicago, IL 60601

Deanne E. Maynard  
Tim A. O'Brien  
Morrison & Foerster LLP  
2000 Pennsylvania Ave., NW  
Washington, DC 20006-1888

Benjamin J. Fox  
Morrison & Foerster LLP  
555 W. 5<sup>th</sup> Street  
Los Angeles, CA 90013-1024

Bradley C. Weber  
Locke Lord LLP  
701 8<sup>th</sup> Street, NW, Suite 700  
Washington, DC 20001

Bart W. Huffman  
Locke Lord LLP  
100 Congress Avenue, Suite 300  
Austin, TX 78701

John Steele  
PRENDA LAW INC.  
161 N. Clark Street  
Suite 3200  
Chicago, IL 60601

/s/ John D. Seiver

John D. Seiver