

APPEAL,STAYED,TYPE-E

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-00048-BAH
*Internal Use Only***

AF HOLDINGS LLC v. DOES
Assigned to: Judge Beryl A. Howell
Cause: 17:101 Copyright Infringement

Date Filed: 01/11/2012
Jury Demand: None
Nature of Suit: 820 Copyright
Jurisdiction: Federal Question

Plaintiff

AF HOLDINGS LLC

represented by **Paul A. Duffy**
PRENDA LAW INC.
161 N. Clark Street
Suite 3200
Chicago, IL 60601
(312) 880-9160
Fax: (312) 893-5677
Email: paduffy@wefightpiracy.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John L. Steele
PRENDA LAW INC.
161 N. Clark, Street
Suite 3200
Chicago, IL 60601
(312) 880-9160
Fax: (312) 893-5677
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

DOES
1 - 1058

V.

Interested Party

COX COMMUNICATIONS, INC.

represented by **Benjamin Jonathan Fox**
MORRISON &FOERSTER, LLP
555 West 5th Street
Los Angeles, CA 90013-1024
(213) 892-5200
PRO HAC VICE

ATTORNEY TO BE NOTICED

Timothy A. O'Brien
CAPITAL ONE
1680 Capital One Drive
McLean, VA 22102
(202) 409-4965
Email: tim.obrien@capitalone.com
ATTORNEY TO BE NOTICED

Interested Party

VERIZON ONLINE LLC

represented by **Benjamin Jonathan Fox**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Timothy A. O'Brien
(See above for address)
ATTORNEY TO BE NOTICED

Interested Party

SBC INTERNET SERVICES, INC.
doing business as
ATTINTERNET SERVICES

represented by **Bart W. Huffman**
LOCKE LORD LLP
100 Congress, Suite 300
Austin, TX 78701
Email: bhuffman@lockelord.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley C. Weber
LOCKE LORD LLP
2200 Ross Avenue
Suite 2200
Dallas, TX 75201-6776
(214) 740-8497
Fax: (214) 756-8497
Email: bweber@lockelord.com
ATTORNEY TO BE NOTICED

Interested Party

BRIGHT HOUSE NETWORKS LLC

represented by **Benjamin Jonathan Fox**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Timothy A. O'Brien
(See above for address)
ATTORNEY TO BE NOTICED

Interested Party

**COMCAST CABLE
COMMUNICATIONS LLC**

represented by **John David Seiver**
DAVIS WRIGHT TREMAINE, LLP
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006
(202) 973-4200
Email: johnseiver@dwt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leslie Gallagher Moylan
DAVIS WRIGHT TREMAINE, LLP
1919 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006-3402
(202) 973-4216
Email: lesliemoylan@dwt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

ANDREW FIGNAR, JR
John Doe 905, IP Address 96.27.34.119

represented by **Thomas P. Hartnett**
THE LAW OFFICE OF THOMAS P.
HARTNETT
1310 Pennsylvania Avenue, SE
Washington, DC 20003
(202) 966-0066
Fax: (703) 757-5343
Email: thartnett@tphatt.com
ATTORNEY TO BE NOTICED

Interested Party

JOHN DOE

represented by **JOHN DOE**
PRO SE

Interested Party

KRISTI JOHNSON

Amicus

**ELECTRONIC FRONTIER
FOUNDATION**

represented by **Mitchell L. Stoltz**
ELECTRONIC FRONTIER
FOUNDATION
454 Shotwell Street
San Francisco, CA 94110-1914
(415) 436-9333
Fax: (415) 436-9993
Email: mitch@eff.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus**AMERICAN CIVIL LIBERTIES
UNION FOUNDATION**represented by **Mitchell L. Stoltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Amicus****AMERICAN CIVIL LIBERTIES
UNION OF THE NATION'S
CAPITAL**represented by **Mitchell L. Stoltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
01/11/2012	<u>1</u>		COMPLAINT against DOES (Filing fee \$ 350, receipt number 4616045223) filed by AF HOLDINGS LLC. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 01/13/2012)
01/11/2012			SUMMONS Not Issued as to DOES (rdj) (Entered: 01/13/2012)
01/11/2012	<u>2</u>		LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AF HOLDINGS LLC identifying Corporate Parent NONE for AF HOLDINGS LLC. (rdj) (Entered: 01/13/2012)
01/17/2012	<u>3</u>		STANDING ORDER. Signed by Judge Beryl A. Howell on January 17, 2012. (lcbah1) (Entered: 01/17/2012)
01/18/2012	<u>4</u>		MOTION for Order <i>for Leave to Take Discovery Prior to Rule 26(f) Conference</i> by AF HOLDINGS LLC (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Duffy, Paul) (Entered: 01/18/2012)
01/30/2012	<u>5</u>		ORDER granting <u>4</u> Plaintiff's Motion for Leave to Take Expedited Discovery. See Order for further details. Signed by Judge Beryl A. Howell on January 30, 2012. (lcbah1) (Entered: 01/30/2012)
01/30/2012			Set/Reset Deadlines: Exhibit A shall be re-filed by 2/5/2012. Status Report due by 5/29/2012. (alp) (Entered: 01/30/2012)
02/02/2012	<u>6</u>		NOTICE of filing of Exhibit A to Plaintiff's Complaint, With Each Listed IP Address Numbered, Pursuant to the Court's January 30, 2012 Orders by AF HOLDINGS LLC re Set/Reset Deadlines, <u>5</u> Order on Motion for Order (Duffy, Paul) (Entered: 02/02/2012)
02/17/2012	<u>7</u>		MOTION to Compel by AF HOLDINGS LLC (Attachments: # <u>1</u> Exhibit Subpoena Duces Tecum to Comcast, # <u>2</u> Exhibit Comcast Objection Letter, # <u>3</u> Text of Proposed Order)(Duffy, Paul) (Entered: 02/17/2012)
03/02/2012	<u>8</u>		MOTION to Quash by BRIGHT HOUSE NETWORKS, LLC, COX COMMUNICATIONS, INC., SBC INTERNET SERVICES, INC., VERIZONE ONLINE LLC. (Attachments: # <u>1</u> Memorandum in Support of motion to quash, # <u>2</u> Declaration Certificate of Good Faith, # <u>3</u> Declaration Cadenhead Decl, # <u>4</u> Exhibit A to Cadenhead Decl, # <u>5</u> Declaration Compton Decl, # <u>6</u> Exhibit A to Compton Decl, # <u>7</u> Declaration of Tim Frenberg, # <u>8</u> Exhibit A to Frenberg Decl, # <u>9</u> Declaration of Sean Moriarty, # <u>10</u> Exhibit A

		to Moriarty Decl, # <u>11</u> Declaration of Bart Huffman, # <u>12</u> Exhibit A-1 to Huffman Decl, # <u>13</u> Exhibit A-2 to Huffman Decl, # <u>14</u> Exhibit A-3 to Huffman Decl, # <u>15</u> Exhibit B-1 to Huffman Decl, # <u>16</u> Exhibit B-2 to Huffman Decl, # <u>17</u> Exhibit B-3 to Huffman Decl, # <u>18</u> Exhibit C to Huffman Decl, # <u>19</u> Exhibit D to Huffman Decl, # <u>20</u> Exhibit E to Huffman Decl, # <u>21</u> Exhibit F to Huffman Decl, # <u>22</u> Exhibit G to Huffman Decl, # <u>23</u> Exhibit H to Huffman Decl, # <u>24</u> Exhibit I to Huffman Decl, # <u>25</u> Exhibit J to Huffman Decl, # <u>26</u> Exhibit K to Huffman Decl, # <u>27</u> Exhibit L to Huffman Decl, # <u>28</u> Text of Proposed Order, # <u>29</u> Supplement Notice of Appearance, # <u>30</u> Supplement Notice of Appearance, # <u>31</u> Certificate of Service)(O'Brien, Timothy) Modified event title and filers on 3/5/2012 (znmw,). (Additional attachment(s) added on 3/5/2012: # <u>32</u> Certificate of Counsel) (znmw,). (Entered: 03/02/2012)
03/02/2012	<u>9</u>	ENTERED IN ERROR.....MEMORANDUM re <u>8</u> Memorandum,,,,, filed by DOES by DOES. (O'Brien, Timothy) Modified on 3/5/2012 (znmw,). (Entered: 03/02/2012)
03/05/2012		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>9</u> Memorandum was entered in error and the certificate of counsel has been added to Docket Entry <u>8</u> MOTION to Quash. (znmw,) (Entered: 03/05/2012)
03/05/2012	<u>10</u>	NOTICE of Appearance by John David Seiver on behalf of COMCAST CABLE COMMUNICATIONS LLC (Seiver, John) (Entered: 03/05/2012)
03/05/2012	<u>11</u>	NOTICE of Appearance by Leslie Gallagher Moylan on behalf of COMCAST CABLE COMMUNICATIONS LLC (Moylan, Leslie) (Entered: 03/05/2012)
03/05/2012	<u>12</u>	Memorandum in opposition to re <u>7</u> MOTION to Compel filed by COMCAST CABLE COMMUNICATIONS LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Seiver, John) (Entered: 03/05/2012)
03/06/2012		MINUTE ORDER (paperless) Pending before the Court are the Plaintiff's <u>7</u> Motion to Compel Compliance with Subpoena and the Non-Parties' <u>8</u> Motion to Quash Subpoenas. The parties and movants are directed to appear for a hearing regarding these motions on April 27, 2012 at 10:30 AM in Courtroom 15 before Judge Beryl A. Howell. Due to the scheduling of the motions hearing, the Court will not grant extensions of time with regard to the filing of briefs associated with these motions. Signed by Judge Beryl A. Howell on March 6, 2012. (lcbah1) (Entered: 03/06/2012)
03/06/2012		NOTICE: A Hearing on <u>8</u> MOTION to Quash and <u>7</u> MOTION to Compel is set for 4/27/2012 @ 10:30 AM in Courtroom 15 before Judge Beryl A. Howell. (tj) (Entered: 03/06/2012)
03/06/2012		Set Hearings: Motion Hearing set for 4/27/2012 @ 10:30 AM in Courtroom 15 before Judge Beryl A. Howell. (tj) (Entered: 03/06/2012)
03/06/2012	<u>13</u>	Memorandum in opposition to re <u>8</u> MOTION to Quash <i>Subpoenas Issued To Non-Party Internet Service Providers Bright House Networks, LLC; Cox Communications, Inc.; SBC Internet Services, Inc. d/b/a ATTInternet Services; and Verizon Online LLC</i> filed by AF HOLDINGS LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Duffy, Paul) (Entered: 03/06/2012)
03/06/2012	<u>14</u>	SEALED MOTION filed by ANDREW FIGNAR, JR. (This document is

		SEALED and only available to authorized persons.)(zrdj) (Entered: 03/07/2012)
03/10/2012	<u>15</u>	REPLY to opposition to motion re <u>7</u> MOTION to Compel <i>Compliance with Subpoena</i> filed by AF HOLDINGS LLC. (Duffy, Paul) (Entered: 03/10/2012)
03/13/2012	<u>16</u>	NOTICE of Appearance by Mitchell L. Stoltz on behalf of ELECTRONIC FRONTIER FOUNDATION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION OF THE NATION'S CAPITAL (znmw,) (Entered: 03/14/2012)
03/13/2012	<u>17</u>	MOTION for Leave to File Brief as Amici Curiae (in Support of Motion to Quash Subpoenas) by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION OF THE NATION'S CAPITAL, ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Request for Judicial Notice in Support of Motion for Leave to File Amici Brief, # <u>2</u> Proposed Amici Brief, # <u>3</u> Declaration in Support of Amici Brief/Motion to Quash Subpoena)(znmw,) (Entered: 03/14/2012)
03/14/2012	<u>18</u>	Memorandum in opposition to re <u>17</u> MOTION for Leave to File filed by AF HOLDINGS LLC. (Duffy, Paul) (Entered: 03/14/2012)
03/15/2012	<u>19</u>	MOTION for Leave to File <i>Surreply</i> by COMCAST CABLE COMMUNICATIONS LLC (Attachments: # <u>1</u> Surreply Memorandum in Opposition to Plaintiff's Motion to Compel Compliance with Subpoena, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Text of Proposed Order Proposed Order)(Seiver, John) (Entered: 03/15/2012)
03/15/2012		MINUTE ORDER (paperless) granting <u>17</u> Motion of Electronic Frontier Foundation, American Civil Liberties Union Foundation, and American Civil Liberties Union of the Nation's Capital for Leave to File Brief Amicus Curiae. Signed by Judge Beryl A. Howell on March 15, 2012. (lcbah1) (Entered: 03/15/2012)
03/15/2012	<u>20</u>	Memorandum in opposition to re <u>19</u> MOTION for Leave to File <i>Surreply</i> filed by AF HOLDINGS LLC. (Duffy, Paul) (Entered: 03/15/2012)
03/15/2012		MINUTE ORDER (paperless) Upon consideration of Non-Party Comcast Cable Communication's Motion for Leave to File Surreply, and the plaintiff's opposition thereto, it is hereby ordered that Comcast's <u>19</u> Motion for Leave to File Surreply is GRANTED. Signed by Judge Beryl A. Howell on March 15, 2012.(lcbah1) (Entered: 03/15/2012)
03/15/2012	<u>21</u>	SURREPLY to re <u>7</u> MOTION to Compel filed by COMCAST CABLE COMMUNICATIONS LLC. (rdj) (Entered: 03/16/2012)
03/15/2012	<u>22</u>	MOTION to Quash, or MOTION to Modify Subpoena by JOHN DOE "Leave to file GRANTED" by Judge Beryl A. Howell (rdj) (Entered: 03/16/2012)
03/15/2012	<u>23</u>	SEALED MOTION for Extension of Time by ANDREW FIGNAR, JR (Attachments: # <u>1</u> Text of Proposed Order)"Leave to file GRANTED" by Judge Beryl A. Howell (zrdj) (Entered: 03/16/2012)
03/16/2012	<u>24</u>	AMICUS BRIEF by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION OF THE

		NATION'S CAPITAL, ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Declaration, # <u>2</u> Request for Judicial Notice)(znmw,) (Entered: 03/16/2012)
03/16/2012	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Benjamin J. Fox, :Firm– Morrison &Foerster LLP, :Address– 555 W. 5th Street, Los Angeles, CA 90013–1024. Phone No. – 213–892–5200. Fax No. – 213–892–5415 by BRIGHT HOUSE NETWORKS LLC, COX COMMUNICATIONS, INC., VERIZON ONLINE LLC (Attachments: # <u>1</u> Declaration of Benjamin J. Fox, # <u>2</u> Text of Proposed Order)(O'Brien, Timothy) (Entered: 03/16/2012)
03/16/2012	<u>26</u>	REPLY to opposition to motion re <u>8</u> MOTION to Quash filed by BRIGHT HOUSE NETWORKS LLC, COX COMMUNICATIONS, INC., SBC INTERNET SERVICES, INC., VERIZON ONLINE LLC. (Attachments: # <u>1</u> Declaration of Bart W. Huffman)(O'Brien, Timothy) (Entered: 03/16/2012)
03/19/2012		MINUTE ORDER (paperless) granting <u>25</u> Motion for Pro Hac Vice Admission of Benjamin J. Fox. Mr. Fox is hereby admitted pro hac vice for the purposes of representing third parties Bright House Networks, LLC; Cox Communications, Inc.; and Verizon Online LLC in this matter. Signed by Judge Beryl A. Howell on March 19, 2012. (lcbah1) (Entered: 03/19/2012)
03/23/2012	<u>27</u>	RESPONSE re <u>24</u> Amicus Brief, filed by AF HOLDINGS LLC. (Attachments: # <u>1</u> Exhibit BitTorrent Screenshot)(Duffy, Paul) (Entered: 03/23/2012)
03/29/2012	<u>28</u>	Memorandum in opposition to re <u>22</u> MOTION to Quash MOTION to Modify <i>Subpoena</i> filed by AF HOLDINGS LLC. (Duffy, Paul) (Entered: 03/29/2012)
04/12/2012	<u>29</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Bart W. Huffman, :Firm– Locke Lord LLP, :Address– 100 Congress, Ste. 300, Austin, TX 78701–2748. Phone No. – 512–305–4700. Fax No. – 512–305–4800 by SBC INTERNET SERVICES, INC. (Attachments: # <u>1</u> Exhibit A – Declaration of Bart Huffman, # <u>2</u> Text of Proposed Order)(Weber, Bradley) (Entered: 04/12/2012)
04/13/2012		MINUTE ORDER (paperless) granting <u>29</u> Movant SBC Internet Services, Inc.'s Motion for Admission Pro Hac Vice of Bart W. Huffman. Mr. Huffman is hereby admitted Pro Hac Vice for the purpose of representing Movant SBC Internet Services, Inc. in this matter. Signed by Judge Beryl A. Howell on April 13, 2012. (lcbah1) (Entered: 04/13/2012)
04/17/2012		MINUTE ORDER (paperless) The plaintiff and movants are directed to file, by 5:00 PM on April 20, 2012, a list of any witnesses expected to testify at the motions hearing scheduled for April 27, 2012, along with a brief description of the testimony expected from each witness. Signed by Judge Beryl A. Howell on April 17, 2012. (lcbah1) (Entered: 04/17/2012)
04/17/2012	<u>30</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by COMCAST CABLE COMMUNICATIONS LLC (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Seiver, John) (Entered: 04/17/2012)
04/17/2012	<u>31</u>	RESPONSE re <u>30</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by AF HOLDINGS LLC. (Attachments: # <u>1</u> Exhibit Motion to Alter or Amend

		March 30, 2012 Order, # <u>2</u> Exhibit Order Denying Does' Motion, # <u>3</u> Exhibit Order Denying Motions to Quash, # <u>4</u> Exhibit Order Denying Motions to Quash or Modify)(Duffy, Paul) (Entered: 04/17/2012)
04/20/2012	<u>32</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– John L. Steele, :Firm– Prenda Law, Inc., :Address– 161 N. Clark St., Suite 3200. Phone No. – (312) 880–9160. Fax No. – (312) 893–5677 by AF HOLDINGS LLC (Duffy, Paul) (Entered: 04/20/2012)
04/20/2012	<u>33</u>	NOTICE of Appearance by Bart W. Huffman on behalf of SBC INTERNET SERVICES, INC. (Huffman, Bart) (Entered: 04/20/2012)
04/20/2012	<u>34</u>	NOTICE <i>Of Expected Witness For April 27, 2012 Motions Hearing</i> by AF HOLDINGS LLC re Order, (Duffy, Paul) (Entered: 04/20/2012)
04/20/2012		MINUTE ORDER (paperless) granting plaintiff's <u>32</u> Motion for Pro Hac Vice Admission of John L. Steele. Mr. Steele is hereby admitted pro hac vice for the purposes of representing the plaintiff in this matter. Signed by Judge Beryl A. Howell on April 20, 2012. (lcbah1) (Entered: 04/20/2012)
04/23/2012	<u>36</u>	MOTION to Quash Subpoena by KRISTI JOHNSON "Leave to file GRANTED", by Judge Beryl A. Howell (rdj) (Entered: 04/23/2012)
04/27/2012	<u>37</u>	MOTION in Limine <i>To Bar Evidence And Argument Regarding Unrelated Cases</i> by AF HOLDINGS LLC (Duffy, Paul) (Entered: 04/27/2012)
04/27/2012		MINUTE ORDER (paperless) For the reasons stated on the record during the April 27, 2012 motions hearing, the plaintiff's <u>37</u> Motion in Limine to Bar Evidence and Argument About Unrelated Cases is DENIED. Signed by Judge Beryl A. Howell on April 27, 2012. (lcbah1) (Entered: 04/27/2012)
04/30/2012	<u>38</u>	NOTICE <i>of Filing of Exhibits Related to the Expert Testimony of Steve Smoot</i> by AF HOLDINGS LLC (Attachments: # <u>1</u> Exhibit CV of expert witness Steve Smoot (provided to the court and other participants at the April 27, 2012 hearing and not included again here), # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit)(Duffy, Paul) (Entered: 04/30/2012)
05/04/2012	<u>39</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by COMCAST CABLE COMMUNICATIONS LLC (Attachments: # <u>1</u> Exhibit A)(Seiver, John) (Entered: 05/04/2012)
05/04/2012	<u>40</u>	RESPONSE re <u>39</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by AF HOLDINGS LLC. (Duffy, Paul) (Entered: 05/04/2012)
05/07/2012	<u>41</u>	RESPONSE re <u>36</u> MOTION to Quash filed by AF HOLDINGS LLC. (Duffy, Paul) (Entered: 05/07/2012)
07/25/2012	<u>42</u>	MOTION to Take Judicial Notice by AF HOLDINGS LLC (Attachments: # <u>1</u> Exhibit Motion to Quash)(Duffy, Paul) (Entered: 07/25/2012)
07/30/2012	<u>43</u>	Memorandum in opposition to re <u>42</u> MOTION to Take Judicial Notice filed by COMCAST CABLE COMMUNICATIONS LLC. (Seiver, John) (Entered: 07/30/2012)
08/06/2012	<u>44</u>	REPLY re <u>42</u> MOTION to Take Judicial Notice filed by AF HOLDINGS LLC. (Duffy, Paul) Modified on 8/7/2012 to correct linkage (rdj). (Entered: 08/06/2012)

			08/06/2012)
08/06/2012	<u>45</u>		ORDER granting the plaintiff's <u>7</u> Motion to Compel Comcast to comply with the subpoena dated February 2, 2012, denying <u>8</u> Movant ISPs' Motion to Quash the plaintiff's subpoenas, and granting the Movant ISPs' request to certify the Court's denial of the Movant ISPs' Motion to Quash pursuant to 28 U.S.C. § 1292(b). This case is hereby stayed pending resolution of the Movant ISPs' application for appeal, which, pursuant to 28 U.S.C. § 1292(b), must be submitted within ten days after the entry of the instant order, and, if such appeal is accepted by the Circuit Court for the District of Columbia, this case shall be stayed pending resolution of the appeal. See Order for further details. Signed by Judge Beryl A. Howell on 08/06/2012. (lcbah2) (Entered: 08/06/2012)
08/06/2012	<u>46</u>		MEMORANDUM OPINION regarding the plaintiff's <u>7</u> Motion to Compel Comcast to comply with the subpoena dated February 2, 2012, <u>8</u> the Movant ISPs' Motion to Quash the plaintiff's subpoenas, and the Movant ISPs' request to certify the Court's denial of the Movant ISPs' Motion to Quash pursuant to 28 U.S.C. § 1292(b). Signed by Judge Beryl A. Howell on 08/06/2012. (lcbah2) (Entered: 08/06/2012)
08/07/2012			Case Stayed. (tg,) (Entered: 08/07/2012)
10/29/2012	<u>47</u>		NOTICE of Voluntary Dismissal by AF HOLDINGS LLC (Duffy, Paul) (Entered: 10/29/2012)
10/31/2012			MINUTE ORDER (paperless) Upon consideration of the <u>47</u> Notice of Voluntary Dismissal of Certain Doe Defendants Without Prejudice, it is hereby ORDERED that the Doe defendants associated with Internet Protocol addresses 75.89.36.80 and 98.18.198.75 are hereby dismissed from this action without prejudice. Signed by Judge Beryl A. Howell on October 31, 2012. (lcbah1) (Entered: 10/31/2012)
11/10/2012	<u>48</u>		NOTICE of Voluntary Dismissal re Certain Doe Defendant (Duffy, Paul) (Entered: 11/10/2012)
11/15/2012			MINUTE ORDER (paperless) Upon consideration of the <u>48</u> Notice of Voluntary Dismissal of Certain Doe Defendants Without Prejudice, it is hereby ORDERED that the Doe defendant associated with Internet Protocol address 24.247.101.163 is hereby dismissed from this action without prejudice. Signed by Judge Beryl A. Howell on November 15, 2012. (lcbah1) (Entered: 11/15/2012)
12/18/2012	<u>49</u>	10	NOTICE OF APPEAL by BRIGHT HOUSE NETWORKS LLC, COMCAST CABLE COMMUNICATIONS LLC, COX COMMUNICATIONS, INC., SBC INTERNET SERVICES, INC., VERIZON ONLINE LLC. Fee Status: No Fee Paid. Parties have been notified. (md,) (Entered: 12/19/2012)

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 12-8011

September Term, 2012

1:12-cv-00048-BAH

Filed On: December 7, 2012

In re: Cox Communications, Inc., et al.,

Petitioners

BEFORE: Garland, Brown, and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the petition for permission to appeal pursuant to 28 U.S.C. §1292(b), the response thereto, and the reply, it is

ORDERED that the petition for permission to appeal be granted. See 28 U.S.C. § 1292(b). Approval of the petition is without prejudice to reconsideration by the merits panel.

The Clerk is directed to transmit a certified copy of this order to the district court. The district court will file the order as a notice of appeal pursuant to Fed. R. App. P. 5 and collect the mandatory fee from the appellants. Upon payment of the fees, the district court is to certify and transmit the preliminary record to this court, after which the case will be assigned a general docket number and proceed in the normal course.

Per Curiam

A True copy:

United States Court of Appeals
for the District of Columbia Circuit
By: *Alida Chapp* Deputy Clerk