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11 Attorneys for Plaintiff
RON PAUL 2012 PRESIDENTIAL CAMPAIGN COMMITTEE, INC.

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

16 RON PAUL 2012 PRESIDENTIAL
17 CAMPAIGN COMMITTEE, INC.
18 A Delaware Corporation,

19 Plaintiff,

20 v.

21 John Does, 1 through 10,

22 Defendants.
23

Case No. CV-12-00240-MEJ

**PLAINTIFF'S REQUEST FOR
JUDICIAL NOTICE IN SUPPORT
OF EX PARTE APPLICATION
FOR EXPEDITED DISCOVERY**

1 Plaintiff Ron Paul 2012 Presidential Campaign Committee, Inc. ("Plaintiff")
2 respectfully requests pursuant to Federal Rule of Evidence 201(b), that the Court
3 take judicial notice of the following orders granting expedited discovery in district
4 courts in the 9th Circuit in support of Plaintiff's request for expedited discovery:

- 5 1. Order, *Maverick Recording Co. v. Does 1-4*, Case No. C-04-1135
6 MMC (N.D. Cal. April 28, 2004), which is attached hereto as Exhibit A;
- 7 2. Order, *Arista Records LLC v. Does 1-16*, No. 07-1641 LKK EFB (E.D.
8 Cal. Aug. 23, 2007), which is attached hereto as Exhibit B;
- 9 3. Order, *Sony BMG Music Ent't v. Does 1-16*, No. 07-cv-00581-BTM-
10 AJJB (S.D. Cal. Apr. 19, 2007), which is attached hereto as Exhibit C;
- 11 4. Order, *UMG Recordings, Inc. v. Does 1-2*, No. CV04-0960(RSL)
12 (W.D. Wash. May 14, 2004), which is attached hereto as Exhibit D;
- 13 5. Order, *Loud Records, LLC v. Does 1-5*, No. CV -04-0134-RHW (E.D.
14 Wash. May 10, 2004), which is attached hereto as Exhibit E;
- 15 6. Order, *London-Sire Records, Inc. v. Does 1-4*, No. CV 04-1962 ABC
16 (AJWx) (C.D. Cal. Apr. 2, 2004), which is attached hereto as Exhibit F;
- 17 7. Order, *Interscope Records v. Does 1-4*, No. CV -04-131 TUC-JM (D.
18 Ariz. Mar. 25, 2004), which is attached hereto as Exhibit G.

19 Dated: January 18, 2012

Respectfully submitted

AREN FOX LLP



JERROLD ABELES
DAVID G. BAYLES

Attorneys for Plaintiff
RON PAUL 2012 PRESIDENTIAL
CAMPAIGN COMMITTEE, INC.

Exhibit A

1 JEFFREY G. KNOWLES (State Bar # 129754)
 JULIA D. GREER (State Bar # 200479)
 2 ZUZANA J. SVIHRA (State Bar # 208671)
 COBLENTZ, PATCH, DUFFY & BASS, LLP
 3 One Ferry Building, Suite 200
 San Francisco, California 94111
 4 Telephone: (415) 391-4800
 Facsimile: (415) 989-1663

5 Attorneys for Plaintiffs
 6 MAVERICK RECORDING CO.; WARNER BROS.
 RECORDS INC.; ARISTA RECORDS, INC.; VIRGIN
 7 RECORDS AMERICA, INC.; UMG RECORDINGS, INC.;
 INTERSCOPE RECORDS; BMG MUSIC; SONY MUSIC
 8 ENTERTAINMENT INC.; ATLANTIC RECORDING
 CORP.; MOTOWN RECORD COMPANY, L.P.; and
 9 CAPITOL RECORDS, INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 MAVERICK RECORDING COMPANY, a
 California joint venture; WARNER BROS.
 14 RECORDS INC., a Delaware corporation;
 ARISTA RECORDS, INC., a Delaware
 15 corporation; VIRGIN RECORDS AMERICA,
 INC., a California corporation; UMG
 16 RECORDINGS, INC., a Delaware
 corporation; INTERSCOPE RECORDS, a
 17 California general partnership; BMG MUSIC,
 a New York general partnership; SONY
 18 MUSIC ENTERTAINMENT INC., a
 Delaware corporation; ATLANTIC
 19 RECORDING CORPORATION, a Delaware
 corporation; MOTOWN RECORD
 20 COMPANY, L.P., a California limited
 partnership; and CAPITOL RECORDS, INC.,
 21 a Delaware corporation,

CASE NO. C-04-1135 MMC

**[PROPOSED] ORDER GRANTING
 PLAINTIFFS' MISCELLANEOUS
 ADMINISTRATIVE REQUEST FOR
 LEAVE TO TAKE IMMEDIATE
 DISCOVERY**

22 Plaintiffs,

23 vs.

24 DOES 1 - 4,

25 Defendants.

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COBLENTZ, PATCH, DUFFY & BASS, LLP
 One Ferry Building, Suite 200, San Francisco, CA 94111-4213
 (415) 391-4800 • (415) 989-1663

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Upon the Miscellaneous Administrative Request of Plaintiffs For Leave To Take Immediate Discovery, the Declaration of Jonathan Whitehead and the exhibit thereto, Plaintiffs' Request for Judicial Notice, and the Declaration of Zuzana J. Svihra, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on the University of California, Berkeley 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.

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.

Without such discovery, Plaintiffs cannot identify the Doe Defendants, and thus cannot pursue their lawsuit to protect their copyrighted works from infringement.

Dated: April 28, 2004

James Larson U.S. Magistrate Judge
~~United States District Judge~~

COBLENTZ, PARCÉ, DUFFY & BASS, LLP
One Ferry Building, Suite 200, San Francisco, CA 94111-4213
(415) 391-4800 • (415) 989-1663

Exhibit B

1 Matthew Franklin Jaksa (CA State Bar No. 248072)
 2 HOLME ROBERTS & OWEN LLP
 3 560 Mission Street, 25th Floor
 4 San Francisco, CA 94105-2994
 5 Telephone: (415) 268-2000
 6 Facsimile: (415) 268-1999
 7 Email: matt.jaksa@hro.com

8 Attorneys for Plaintiffs,
 9 ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION;
 10 BMG MUSIC; CAPITOL RECORDS, INC.; ELEKTRA
 11 ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE
 12 RECORDS LLC; MAVERICK RECORDING COMPANY; MOTOWN
 13 RECORD COMPANY, L.P.; PRIORITY RECORDS LLC; SONY BMG
 14 MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN
 15 RECORDS AMERICA, INC.; and WARNER BROS. RECORDS INC.

16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA

18 ARISTA RECORDS LLC, a Delaware limited liability
 19 company; ATLANTIC RECORDING
 20 CORPORATION, a Delaware corporation; BMG
 21 MUSIC, a New York general partnership; CAPITOL
 22 RECORDS, INC., a Delaware corporation; ELEKTRA
 23 ENTERTAINMENT GROUP INC., a Delaware
 24 corporation; INTERSCOPE RECORDS, a California
 25 general partnership; LAFACE RECORDS LLC, a
 26 Delaware limited liability company; MAVERICK
 27 RECORDING COMPANY, a California joint venture;
 28 MOTOWN RECORD COMPANY, L.P., a California
 limited partnership; PRIORITY RECORDS LLC, a
 California limited liability company; SONY BMG
 MUSIC ENTERTAINMENT, a Delaware general
 partnership; UMG RECORDINGS, INC., a Delaware
 corporation; VIRGIN RECORDS AMERICA, INC., a
 California corporation; and WARNER BROS.
 RECORDS INC., a Delaware corporation,

CASE NO. 07-1641 LKK EFB

**ORDER GRANTING EX PARTE
 APPLICATION FOR LEAVE TO TAKE
 IMMEDIATE DISCOVERY**

Plaintiffs,

v.

DOES 1-16,

Defendants.

1 Upon the Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery,
 2 the Declaration of Carlos Linares, and the accompanying Memorandum of Law, it is hereby
 3 ORDERED that Plaintiffs may serve immediate discovery on University of California, Davis to
 4 obtain the identity of each Doe Defendant by serving a Rule 45 subpoena that seeks documents that
 5 identify each Doe Defendant, including the name, current (and permanent) addresses and telephone
 6 numbers, e-mail addresses, and Media Access Control addresses for each Defendant.

7 Although parties must generally meet and confer prior to seeking expedited
 8 discovery, that requirement may be dispensed if good cause is shown. *See* Fed. R. Civ. P. 26(d);
 9 *Semitoool, Inc. v. Tokyo Electron Am., Inc.*, 208 F.R.D. 273, 275-76 (N.D. Cal. 2002). Here, the
 10 plaintiffs have presented evidence that the subpoena is necessary to identify the defendants, serve
 11 them with the complaint and summons, and prosecute their claims of copyright infringement. *See*
 12 *Gillespie v. Civletti*, 629 F.2d 637, 642 (9th Cir. 1980) ("where the identity of alleged defendants
 13 will not be known prior to the filing of a complaint . . . the plaintiff should be given an opportunity
 14 through discovery to identify the unknown defendants, unless it is clear that discovery would not
 15 uncover the identities, or that the complaint would be dismissed on other grounds."). Plaintiffs have
 16 further averred that records kept by internet service providers ("ISP") such as the University of
 17 California, Davis, are regularly destroyed, sometimes on a daily or weekly basis. *See* Linares
 18 Declaration, at ¶ 24. Based on the foregoing, the court finds that plaintiffs have demonstrated good
 19 cause for the expedited discovery.

20 The disclosure of this information is ordered pursuant to 20 U.S.C. § 1232g(b)(2)(B).
 21 Consistent with that provision, if and when the University of California, Davis is served with a
 22 subpoena, it shall, within five business days, give written notice to the subscribers whose identities
 23 are to be disclosed in response to the subpoena. Such written notice may be achieved by messages
 24 sent via electronic mail. If the University of California, Davis, and/or any defendant wishes to move
 25 to quash the subpoena, they shall do so before the return date of the subpoena.

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

4
5 Dated: August 23, 2007.


6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE

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Exhibit C

FILED

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY RM DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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

Plaintiff,

v.

DOES 1 - 16,

Defendants.

Case No. 07CV 0581 BTM AJB

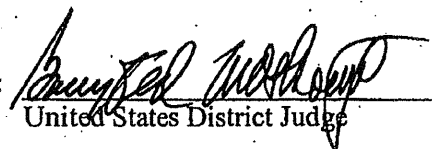
~~PROPOSED~~ ORDER GRANTING PLAINTIFFS' *EX PARTE* APPLICATION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY

1 Upon the Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery, the
2 Declaration of Carlos Linares, and the accompanying Memorandum of Law, it is hereby:

3 ORDERED that Plaintiffs may serve immediate discovery on SBC Internet Services, Inc. to
4 obtain the identity of each Doe Defendant by serving a Rule 45 subpoena that seeks documents that
5 identify each Doe Defendant, including the name, current (and permanent) addresses and telephone
6 numbers, e-mail addresses, and Media Access Control addresses for each Defendant. The disclosure
7 of this information is ordered pursuant to 47 U.S.C. § 551(c)(2)(B).

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

11
12 DATED: 4-19-07

By: 
United States District Judge

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Exhibit D

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04-CV-00960-ITP

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UMG RECORDINGS, INC., a Delaware corporation; ATLANTIC RECORDING CORPORATION, a Delaware corporation; WARNER BROS. RECORDS INC., a Delaware corporation; SONY MUSIC ENTERTAINMENT INC., a Delaware corporation; BMG MUSIC, a New York general partnership; and VIRGIN RECORDS AMERICA, INC., a California corporation,

Plaintiffs,

v.

DOES 1 - 2,

Defendants.

No. C04-096010-L

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY

Upon the Motion of Plaintiffs for Leave to Take Immediate 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 Microsoft Corporation 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.

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY
Page 1

YARMUTH WILSON CALFO PLLC
THE IX TOWER
925 FOURTH AVENUE, SUITE 2500
SEATTLE, WA 98104
T 206 510 3800 F 206 510 3888

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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: May 14, 2008

M. S. Carnik
United States District Judge

~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' MOTION FOR LEAVE TO
TAKE IMMEDIATE DISCOVERY
Page 2

YARMUTH WILSDON CALFO PLLC
THE 10X TOWER
925 FOURTH AVENUE, SUITE 2500
SEATTLE, WA 98104
T 206 510 3800 F 206 516 3888

Exhibit E

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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 10 2004

JAMES R. CARSEN, CLERK
DEPUTY
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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

Plaintiffs,

v.

DOES 1-5,

Defendants.

NO. CV-04-0134-RHW

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

Before the Court is Plaintiffs' Motion for Leave to Take Immediate
Discovery (Ct. Rec. 7). The Plaintiffs, members of the Recording Industry
Association of America, Inc. ("RIAA"), have filed a complaint alleging that DOES

**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO TAKE
IMMEDIATE DISCOVERY * 1**

1 1-5 illegally engaged in uploading and downloading copyrighted recordings
2 through www.KaZaA.com, a peer to peer ("P2P") internet service (Ct. Rec. 1).
3 While Plaintiffs are unable to identify the Does, they collected records of
4 Defendants' Internet Protocol ("IP") address, the times the downloads or uploads
5 took place, and information regarding the specific recordings that were
6 downloaded or uploaded. The Plaintiffs were able to ascertain from Defendants'
7 IP addresses that they were utilizing Gonzaga University as their Internet Service
8 Provider ("ISP"). Plaintiffs seek statutory damages under 17 U.S.C. § 504(c),
9 attorneys fees and costs pursuant to 17 U.S.C. § 505, and injunctive relief under
10 17 U.S.C. §§ 502 and 503.

11 In their Motion for Leave to Take Immediate Discovery, the Plaintiffs seek
12 leave to serve Gonzaga University, the ISP for Does 1-5, with a Rule 45 Subpoena
13 Duces Tecum, requiring Gonzaga University to reveal the Defendant's names,
14 addresses, email addresses, telephone number, and Media Access Control
15 ("MAC") addresses.

16 The Ninth Circuit has held that "where the identity of alleged defendants
17 will not be known prior to the filing of a complaint . . . the plaintiff should be
18 given an opportunity through discovery to identify the unknown defendants,
19 unless it is clear that discovery would not uncover the identities, or that the
20 complaint would be dismissed on other grounds." *Gillespie v. Civiletti*, 629 F.2d
21 637, 642 (9th Cir. 1980). Presumably, the discovery device anticipated by this
22 ruling was Rule 45, under which a party may compel a nonparty to produce
23 documents or other materials that could reveal the identities. *See Pennwalt Corp.*
24 *v. Durand-Wayland, Inc.*, 708 F.2d 492 (9th Cir. 1983). The Court finds that this
25 instance presents the very situation indicated by *Gillespie*. The Plaintiffs' case
26 relies on the disclosure of the Does' identities, and those identities are likely
27 discoverable from a third party.

28 Under Rule 26(d), Rule 45 subpoenas should not be served prior to a Rule

ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO TAKE
IMMEDIATE DISCOVERY * 2

1 26(f) conference unless the parties can show good cause. Fed. R. Civ. P. 26(d) (“a
2 party may not seek discovery from any source before the parties have conferred as
3 required by Rule 26(f) [u]nless the court upon motion orders
4 otherwise”); see *Semitool, Inc. V. Tokyo Electron Am., Inc.*, 208 F.R.D. 273, 275-
5 76 (N.D. Cal. 2002). The Plaintiffs have presented compelling evidence that the
6 records kept by ISP providers of IP addresses are regularly destroyed. Thus, good
7 cause has been shown.

8 Accordingly, **IT IS ORDERED** that:

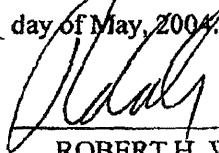
9 1. Plaintiffs’ Motion for Leave to Take Immediate Discovery (Ct. Rec.
10 7) is **GRANTED**.

11 2. Plaintiffs are **GIVEN LEAVE** to serve immediate discovery on
12 Gonzaga University to obtain the identity of each Doe Defendant by serving a
13 Rule 45 subpoena duces tecum that seeks each Doe Defendants’ name, address,
14 telephone number, email address, and Media Access Control address. As agreed
15 by Plaintiffs, this information disclosed will be used solely for the purpose of
16 protecting their rights under the copyright laws.

17 3. Plaintiffs are **ORDERED** to review Local Rule 7.1(g)(2) regarding the
18 citation of unpublished decisions. All unpublished decisions cited to the Court
19 have been disregarded.

20 **IT IS SO ORDERED**. The District Court Executive is hereby directed to
21 enter this order and to furnish copies to counsel of record.

22 DATED this 10 day of May, 2004.

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25 ROBERT H. WHALEY
26 United States District Judge

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ORDER GRANTING PLAINTIFFS’ MOTION FOR LEAVE TO TAKE
IMMEDIATE DISCOVERY * 3

Exhibit F

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FRI 17:22 FAX 213 894 1815 U.S. DISTRICT COURT

003

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES--GENERAL

Generally, parties must meet and confer prior to seeking expedited discovery. See Fed. R. Civ. P. 26(f). That requirement, however, may be dispensed with if good cause is shown. See Semitool, Inc. v. Tokyo Electron Am., Inc., 208 F.R.D. 273, 275-76 (N.D. Cal. 2002). Plaintiffs have shown good cause. The true identities of defendants are unknown to plaintiffs, and this litigation cannot proceed without discovery of defendants' true identities. [See Memorandum 7-9].

Subject to the following qualifications, plaintiffs' ex parte application for leave to take immediate discovery is granted.

If USC wishes to file a motion to quash the subpoena or to serve objections, it must do so before the return date of the subpoena, which shall be no less than twenty-one (21) days from the date of service of the subpoena. Among other things, USC may use this time to notify the subscribers in question.

USC shall preserve any subpoenaed information or materials pending compliance with the subpoena or resolution of any timely objection or motion to quash.

Plaintiffs must serve a copy of this order on USC when they serve the subpoena.

Any information disclosed to plaintiffs in response to the Rule 45 subpoena must be used by plaintiffs solely for the purpose of protecting plaintiffs' rights under the Copyright Act as set forth in the complaint.

IT IS SO ORDERED.

cc: Parties

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk _____

CIVIL MINUTES - GENERAL

Page 2 of 2

EXHIBIT F PAGE 16

Exhibit G

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BY _____	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Interscope Records, et al.,
 Plaintiffs,
 v.
 Docs 1 - 4,
 Defendants.

No. CV-04-131 TUC - JM

ORDER

Pending before the Court is the Plaintiffs' *ex parte* Motion for Leave to Take Immediate Discovery [Docket No. 2]. Upon consideration of the Motion and the supporting Memorandum of Law, and the declaration of Jonathan Whitehead and the exhibit attached thereto, it is hereby:

ORDERED that Plaintiffs' Motion for Leave to Take Immediate Discovery [Docket No. 2] is GRANTED;

IT IS FURTHER ORDERED that Plaintiffs may serve immediate discovery on the University of Arizona 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;

IT IS FURTHER ORDERED that any information disclosed to Plaintiffs in response to the Rule 45 subpoena shall be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act as set forth in the Complaint;

JM

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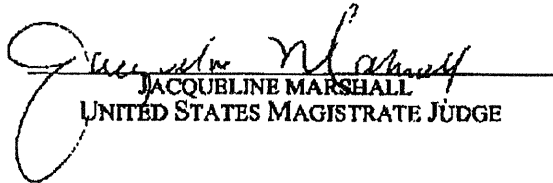
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1 IT IS FURTHER ORDERED that, if and when the University of Arizona is served
2 with a subpoena, within five (5) business days thereof it shall give written notice, which can
3 include use of e-mail, to the subscribers whose identities are to be disclosed in response to
4 the subpoena. If the University of Arizona and/or any Defendant wishes to move to quash
5 the subpoena, they shall do so before the return date of the subpoena, which shall be twenty-
6 five (25) business days form the date of service;

7 IT IS FURTHER ORDERED that, if and when the University of Arizona is served
8 with a subpoena, the University of Arizona shall preserve the data and information sought
9 in the subpoena pending resolution of any timely filed motion to quash;

10 IT IS FURTHER ORDERED that counsel for Plaintiffs shall provide a copy of this
11 Order to the University of Arizona when the subpoena is served.

12 Dated this 25th day of March, 2004.

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16 JACQUELINE MARSHALL
17 UNITED STATES MAGISTRATE JUDGE
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