

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 12-cv-1445

Judge: Hon. Joan N. Ericksen

Magistrate Judge: Hon. Franklin L. Noel

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**PLAINTIFF'S MOTION FOR LEAVE TO TAKE DISCOVERY  
PRIOR TO THE RULE 26(f) CONFERENCE**

Plaintiff, through its undersigned counsel, hereby moves this Court *ex parte* for an Order granting limited discovery prior to the Rule 26(f) Conference. This motion is based upon the case record, attached memorandum and authorities cited therein, and the attached Declaration of Peter Hansmeier. Plaintiff seeks to issue a subpoena pursuant to Fed. R. Civ. P. 45 in order to identify John Doe. The subpoena shall be limited to the following categories of information from the relevant Internet Service Provider:

Name, current (and permanent) address, telephone number, e-mail  
address, and Media Access Control address.

Any information disclosed to the Plaintiff in response to a Rule 45 subpoena will be used by the Plaintiff solely for the purpose of protecting Plaintiff's rights as set forth in its Complaint. For all the reasons articulated in the attached memorandum, Plaintiff respectfully asks the Court to grant this motion and enter an Order substantially in the form of the attached Proposed Order.

Respectfully submitted,

AF Holdings LLC

DATED: June 19, 2012

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