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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAGEX LIMITED,)	
)	
Plaintiff(s),)	No. C09-5285 BZ
)	
v.)	ORDER GRANTING PLAINTIFF'S
)	EX PARTE APPLICATION FOR
JOHN DOE dba JAGEXINSIDER,)	LEAVE TO TAKE IMMEDIATE
)	DISCOVERY
Defendant(s).)	
)	
_____)	

Upon the application of Plaintiff for leave to take immediate discovery, the memorandum of law in support of that application and the Declaration of Robert Smith, it is hereby: **ORDERED** that Plaintiff may serve immediate discovery on YouTube LLC to obtain the identity of John Doe d/b/a JagexInsider ("Defendant") and the third-party infringers listed in the table below, by serving a Rule 45 subpoena that seeks information sufficient to identify the Defendant and third-party infringers, including the name, address, telephone number, e-mail address, Media Access Control (MAC) and Internet Protocol (IP) addresses, and any other information reasonably believed to assist in the personal identification

1 of Defendant and third-party infringers.

2 Table Identifying Defendant and Third-Party Infringers:

3	Location of Content	Username	Date uploaded
4	http://www.youtube.com/watch?v=KKKd96GmaHs	JagexInsider	10/25/2009
5	http://www.youtube.com/watch?v=qconD149QTE	AngryAngel69	10/25/2009
6	http://www.youtube.com/watch?v=RrcnSQSgQU8	MechScapeV6	10/25/2009
7	http://www.youtube.com/watch?v=P4orWcoi4AA	stellarv23	10/25/2009
8	http://www.youtube.com/watch?v=bAFCZz0es7w	Cozmo195studios	10/26/2009
9	http://www.youtube.com/watch?v=7XENxuXGREE	xGamingL3gendx	10/26/2009
10	http://www.youtube.com/watch?v=1-x2smwEeX4	EvilYakuza	10/28/2009
11	http://www.youtube.com/watch?v=64ed84vbXyU	IxXHarleyXxI	10/28/2009
12	http://www.youtube.com/watch?v=CF0gLiA03P4	lawrie90	10/28/2009
13	http://www.youtube.com/watch?v=bosFRk-b6Bk	Mechuzo	10/28/2009
14	http://www.youtube.com/watch?v=R4RlQFoXshs	3hitu	10/29/2009
15	http://www.youtube.com/watch?v=3pXHkIpYd5k	eogra7	10/27/2009
16	http://www.youtube.com/watch?v=JHnjehn131I	ModemPictures	10/29/2009
17	http://www.youtube.com/watch?v=1LdAIEmTMzc	shoxtickle	10/29/2009
18	http://www.youtube.com/watch?v=OBZMm95Sf_U	Syphzar	10/29/2009
19	http://www.youtube.com/watch?v=2IDyPWYEazs	Topun1t	11/1/2009

20 IT IS FURTHER **ORDERED** THAT in the event the discovery
 21 obtained from YouTube LLC is insufficient to provide complete
 22 identifying information of the Defendant and/or third-party
 23 infringers, the Plaintiff may serve immediate discovery of the
 24 same or similar scope on any Internet Service Provider (ISP)
 25 for the Defendant and/or third-party infringers that may be
 26 identified from the information provided by YouTube LLC or
 27 otherwise obtained.

28 If and when YouTube LLC is served with a subpoena, it
 shall give written notice, which may include email notice, to
 the subscribers in question within five business days. If
 YouTube LLC, defendant, or any of the alleged third-party
 infringers wants to move to quash the subpoena, the party must
 do so before the return date of the subpoena, which shall be
 25 days from the date of service. YouTube LLC shall preserve

1 any subpoenaed information pending the resolution of any
2 timely filed motion to quash. Along with its subpoena,
3 plaintiff shall serve YouTube LLC and any ISP with a copy of
4 this Order. Any ISP served with discovery pursuant to this
5 order must also abide by these notice procedures before
6 disclosing subscriber information.

7 IT IS FURTHER **ORDERED** that any information disclosed to
8 Plaintiff in response to the Rule 45 subpoena may be used by
9 Plaintiff solely for the purpose of protecting Plaintiff's
10 rights under the Copyright Act and as otherwise asserted in
11 the Complaint.

12 Without such discovery, Plaintiff cannot identify the
13 Defendant and third-party infringers, and thus cannot pursue
14 its lawsuit to protect its copyrighted and proprietary works
15 from infringement and dissemination to the public.

16 Dated: November 20, 2009

17 
18 _____
19 Bernard Zimmerman
20 United States Magistrate Judge

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