

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the District of New Jersey

<p>MALIBU MEDIA, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>JOHN DOE subscriber assigned IP address 24.14.81.195,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. <u>1:13-cv-06312</u></p> <p>UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS</p>
---	--

**SUBPOENA DUCES TECUM WITH 30(b)(6)
CORPORATE DEPOSITION OF RECORDS CUSTODIAN
FOR COMCAST CABLE COMMUNICATIONS HOLDINGS, INC.**

To: Comcast Communications Holdings, Inc.
C/O John D. Seiver, Esq.
Davis, Wright, Tremaine, LLP
1919 Pennsylvania Avenue, NW, Suite 800
Washington, DC 2006

OR

Records Custodian for:
Comcast Communications Holdings, Inc.
Legal Demand Center
650 Centerton Road
Moorestown, NJ 08057

[X] *Production*: YOU ARE COMMANDED to appear at the time, date, and place set forth below and bring with you the documents responsive to the request set forth on Schedule "A", and be prepared to discuss the topics set forth on Schedule "B".

In accordance with Rule 30(b)(6), Fed.R.Civ.P., COMCAST COMMUNICATIONS HOLDINGS, INC., shall designate one or more officers, directors or managing agents, or other persons who are most knowledgeable about the subject matter categories set forth in Schedule "B". In addition, COMCAST COMMUNICATIONS HOLDINGS, INC., shall provide the documents responsive to Schedule "A" within seven (7) days prior to the date of the deposition or _____, 2014.

650 Centerton Road Moorestown, NJ 08057	Date and Time: _____, 2014 at 12:00 p.m.

[] *Inspection of Premises*: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

*/s/ Paul J. Nicoletti
Attorney's signature*

The name, address, e-mail, and telephone number of the attorney representing Plaintiff, who issues or requests this subpoena, are:

Paul J. Nicoletti, Esq. (P44419)
33717 Woodward Avenue, Ste. #433
Birmingham, MI 48009
Tel: (248) 203-7800
E-Fax: (248) 928-7051
Email: paulnicoletti@gmail.com

Schedule A

- (a) Any and all document(s) that refers or relates to or comprises a record that the Defendant was the internet subscriber assigned IP address 24.14.81.195 on July 30, 2013 at 02:29:39 UTC;
- (b) Any and all document(s) that refers or relates to or comprises a record that the Defendant received a DMCA notice, pursuant to 17 U.S.C. 512(c)(1)(C), including but not limited to the DMCA record;
- (c) Any and all document(s) that refers or relates to or comprises a record that the Defendant received a six strikes notice, pursuant to Comcast's Copyright Alert System, including but not limited to the six strikes record;
- (d) A document that sets forth and summarizes the average internet bandwidth usage of Comcast Internet Services' for customers;
- (e) A document that sets forth and summarizes the average internet bandwidth usage of Comcast Internet Services' for customers in Aurora, Illinois 60502;
- (f) Any and all documents that refer, relate to, or comprise records indicating the amount of internet bandwidth used by the Defendant during the past three years. Please provide these records in the smallest time increments that you maintain such archives;
- (g) The process used to correlate the IP address with the subscriber after the party has provided the initial subpoenaed information;
- (h) Any and all documents that refer, relate to, or comprise records of the number of Comcast internet subscribers in Illinois on July 30, 2013;
- (i) Any and all documents that refer, relate to, or comprise records of the ratio of IP addresses to internet subscribers as of July 30, 2013.

Schedule B

- (a) Discussion of document(s) that refers or relates to or comprises a record that the Defendant was the internet subscriber assigned IP address 24.14.81.195 on July 30, 2013 at 02:29:39 UTC;
- (b) Discussion of document(s) that refers or relates to or comprises a record that the Defendant received a Digital Millennium Copyright Act notice, pursuant to 17 U.S.C. 512(c)(1)(C), including but not limited to the Digital Millennium Copyright Act record;
- (c) Discussion of document(s) that refers or relates to or comprises a record that the Defendant received a six strikes notice, pursuant to Comcast's Copyright Alert System, including but not limited to the six strikes record;
- (d) Discussion of the document(s) that sets forth and summarizes the average internet bandwidth usage of Comcast Internet Services' for customers;
- (e) Discussion of the document(s) that sets forth and summarizes the average internet bandwidth usage of Comcast Internet Services' for customers in Aurora, Illinois 60502;
- (f) Discussion of document(s) that refers or relates to or indicates the amount of internet bandwidth used by the Defendant during the past three years;
- (g) Explanation of the process used to correlate the IP address with the subscriber after the party has provided the initial subpoenaed information;
- (h) Discussion of document(s) that refers or relates to the number of Comcast internet subscribers in Illinois on July 30, 2013;
- (i) Discussion of document(s) that refers or relates to the ratio of IP address to internet subscribers as of July 30, 2013.