

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Action Case No. 1:13-cv-23714-UU
)	
v.)	
)	
JOHN DOE subscriber assigned IP address)	
99.169.76.167,)	
)	
Defendant.)	
_____)	

**PLAINTIFF’S SECOND MOTION FOR EXTENSION OF
TIME WITHIN WHICH IT HAS TO SERVE DEFENDANT WITH
A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their Internet service provider (“ISP”).

2. On November 19, 2013, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP, ATT Internet Services, to obtain the Defendant’s identifying information [CM/ECF 13]. Plaintiff issued the subpoena on or about November 22, 2013, but did not receive the ISP’s response until January 13, 2013.

3. After receiving Defendant’s name, Plaintiff performed its due diligence by investigating the claims surrounding Defendant and is now preparing the pleadings necessary to effectuate service on Defendant.

4. Pursuant to this Court's order dated January 9, 2014, Plaintiff is required to effectuate service on the Defendant by no later than today, February 11, 2014 [CM/ECF 16].

5. Procedurally, Plaintiff respectfully requests that the Court enter an order extending the time within which Plaintiff must effectuate service of a summons and Complaint on Defendant by an additional thirty (30) days, or until March 13, 2014.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the Defendants with a summons and Complaint be extended until March 13, 2014. A proposed order is attached for the Court's convenience.

Dated: February 11, 2014

Respectfully submitted,

By: /s/ M. Keith Lipscomb
M. Keith Lipscomb (429554)
klipscomb@lebfirm.com
LIPSCOMB EISENBERG & BAKER, PL
2 South Biscayne Blvd.
Penthouse 3800
Miami, FL 33131
Telephone: (786) 431-2228
Facsimile: (786) 431-2229
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ M. Keith Lipscomb