

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

IN THE MATTER OF CASE
MANAGEMENT OF
PEER-TO-PEER COPYRIGHT
INFRINGEMENT CASES
AGAINST DOE IP ADDRESSES

Standing Order No. 2016-8

CASE MANAGEMENT ORDER

In compliance with FRCP 1 to secure the just, speedy and inexpensive determination of the large number of similar peer-to-peer copyright infringement cases filed in this District against defendants identified only by an Internet Protocol (“IP”) address,

IT IS HEREBY ORDERED that:

1. If plaintiff believes that any action should be subject to this Standing Order, plaintiff shall so designate in the caption of the Complaint.

2. Such cases shall be filed in the Portland Division and randomly assigned to one of three judges on a three-judge panel appointed by the Chief Judge to manage these cases.

3. Plaintiff shall not join Doe IP addresses as defendants in the same action except as permitted by FRCP 20(a)(2). *See Voltage Pictures, LLC v. Does 1-50*, Nos. 6:14-cv-812-MC & 6:14-cv-816-MC (docket #5); *Voltage Pictures, LLC v. Does 1-198*, No. 6:13-cv-0290-AA (docket #50).

4. Plaintiff shall file evidence of its ownership of the copyright at issue with the Complaint.

5. Pursuant to FRCP 26 and 45, plaintiff has leave to take limited discovery prior to the initial FRCP 26 conference pursuant to a subpoena to the appropriate Internet Service Provider (“ISP”) for records and other information which identify the subscriber and account holder assigned to the Doe IP address. The ISP subpoena must include a copy of Standing Order No.

2016-7 regarding the availability of *pro bono* counsel with any communications to the subscriber/account holder.

6. Plaintiff may serve no more than one (1) additional FRCP 45 subpoena on any subscriber assigned an IP address for a deposition of not more than two (2) hours. Plaintiff shall take reasonable efforts to accommodate any subscriber in time and location and ensure that service of a subscriber subpoena also includes a copy of Standing Order No. 2016-7 regarding the availability of *pro bono* counsel.

7. All current discovery and pretrial deadlines are stricken. Within 30 days after plaintiff substitutes and serves a Doe IP address with a properly identified defendant, plaintiff shall file a written status report with the Court.

8. Plaintiff's first communication with any person that it reasonably believes is the IP address subscriber/account holder or alleged infringer must include a copy of Standing Order No. 2016-7 regarding the availability of *pro bono* counsel.


9. When filing any motion referring to communications with any person that it believes to be the IP address subscriber/account holder or alleged infringer, plaintiff shall file copies of those communications, as well as evidence that the communications were received, or provide good cause as to why such documents are not filed. All communications are to be maintained for *in camera* review until the action is terminated.

10. If the parties have not consented to the assigned Magistrate Judge, any Findings and Recommendation(s) issued by the assigned Magistrate Judge will be referred to a District Judge on the three-judge panel.

11. This Standing Order will be posted publicly on the District Court's web page at:

<https://www.ord.uscourts.gov/index.php/court-info/standing-orders>

DATED on behalf of this Court this 15 day of March, 2016.



Michael W. Mosman
Chief U.S. District Court Judge