

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SIEMENS INDUSTRY SOFTWARE INC.,

Plaintiff,

v.

DOES 1-142,

Defendants.

Case No.: 4:21-cv-385

JURY TRIAL DEMANDED

ORDER GRANTING PLAINTIFF'S MOTION FOR DISCOVERY

Upon the Plaintiff's Motion for Discovery and the supporting Memorandum of Law, it is hereby:

ORDERED that Plaintiff may serve immediate discovery on Comcast Corporation ("Comcast") to obtain the identity of Defendants by serving subpoenas pursuant to Rule 45 of the Federal Rules of Civil Procedure requesting the subscriber's name, address, telephone number, e-mail address, and any other information that would aid Plaintiff in determining the identify of these Account Holders; provided, however, that said discovery shall be conditioned on: (a) Comcast having seven (7) calendar days after service of a subpoena to notify subscribers that their identity is sought by Plaintiff; (b) each subscriber whose identity is sought having twenty one (21) calendar days from the date of such Comcast notice to file any papers contesting the subpoena; and (c) payment to Comcast by Plaintiff of all reasonable costs of: (i) compiling the requested information; (ii) providing pre-disclosure notifications to subscribers; and (iii) all other reasonable costs and fees incurred responding to discovery. Comcast may provide notice using any reasonable means, including but not limited to written notice sent to the subscriber's last known address, transmitted either by first class mail or via overnight service.

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiff in response to subpoenas issued under Rule 45 of the Federal Rules of Civil Procedure may be used by Plaintiff solely for the purpose of protecting Plaintiff's rights under the Copyright Act as enumerated in the Complaint.

IT IS FURTHER ORDERED THAT any subpoena issued pursuant to this order shall be deemed an appropriate court order under 47 U.S.C. § 551.

IT IS FURTHER ORDERED THAT good faith attempts by Comcast to notify the subscriber(s) shall constitute compliance with this order.

Signed the ____ day of _____, 2021.

UNITED STATES DISTRICT JUDGE