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Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

**VIA FEDEX**

June 14, 2023

Discord, Inc.  
c/o CT Corporation System  
300 North Brand Boulevard  
Suite 700  
Glendale, CA 92103

Case: 1:23-mc-00062  
Assigned To : Unassigned Assign.  
Date : 6/14/2023  
Description: Misc. (O-Deck)

Hello:

I am contacting you on behalf of the Recording Industry Association of America, Inc. (RIAA) and its member record companies. The RIAA is a trade association whose member companies create, manufacture and distribute the majority of all legitimate sound recordings sold in the United States.

We have determined that users of your system or network have infringed our member record companies' copyrighted sound recordings.

Enclosed is a subpoena compliant with the Digital Millennium Copyright Act. The subpoena requires that you provide the RIAA with information concerning the individuals offering infringing material described in the attached notice.

As is stated in the attached subpoena, you are required to disclose to the RIAA information sufficient to identify the infringers. This would include the individuals' names, physical addresses, IP addresses, telephone numbers, e-mail addresses, payment information, account updates and account history, as available.

If you have any questions please feel free to contact me via email at [antipiracy@riaa.com](mailto:antipiracy@riaa.com), via telephone at (202) 775-0101, or via mail at RIAA, 1000 F Street N.W., 2nd Floor, Washington, D.C., 20004.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Sheckler", written over a horizontal line.

Victoria Sheckler  
Deputy General Counsel

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

In Re:

DMCA 512(h) SUBPOENA TO  
DISCORD, INC.

) Case No

Case: 1:23-mc-00062  
Assigned To : Unassigned Assign.  
Date : 6/14/2023  
Description: Misc. (O-Deck)

) **DECLARATION OF MARK McDEVITT**

) **IN SUPPORT OF ISSUANCE OF**  
) **SUBPOENA PURSUANT TO 17 U.S.C §**  
) **512(h)**

I, MARK McDEVITT, the undersigned, declare that:

1. I am a Senior Vice President, Online Content Protection for the Recording Industry Association of America, Inc. (RIAA). The RIAA is a trade association whose member companies create, manufacture or distribute sound recordings. The RIAA is authorized to act on its member companies' behalf on matters involving the infringement of their copyrighted video and sound recordings.

2. The RIAA is requesting the attached proposed subpoena that would order Discord, Inc. to disclose the identities, including names, physical addresses, IP addresses, telephone numbers, e-mail addresses, payment information, account updates and account histories of the users operating the following websites:

*Mariah Carey - Always Be My Baby*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1108774259314147369>

*50 Cent - In Da Club*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1107970267306799204>

*Red Hot Chili Peppers - Under The Bridge*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1107018102547427408>

*Olivia Rodrigo - Jealousy, Jealousy*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1105207069772095518>

*Bruno Mars - When I Was Your Man*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1104868476457320448>

*Logic – Buried Alive*

<https://discord.com/channels/1089076875999072296/1103244091233402910/1103244091233402910>

*Stevie Wonder - Sir Duke*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1099520622754799616>

*Shawn Mendes - There's Nothing Holdin' Me Back*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1099672843882594414>

*Madonna - Frozen*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1100172097256443986>

*Rihanna - Bitch Better Have My Money*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1101038749724450826>

*Shakira - Whenever, Wherever*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1101869533842636820>

*Ludacris - Call Ya Bluff*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1103739580538175518>

*Jeff Buckley - Hallelujah*

<https://discord.com/channels/1089076875999072296/1099171514445746196/1104846564125581463>

*Ariana Grande - Dangerous Woman*

<https://discord.com/channels/1089076875999072296/1101047472777859082/1101047472777859082>

*Bruno Mars - Talking To The Moon*

<https://discord.com/channels/1089076875999072296/1106108180590764063/1106108180590764063>

*Jeff Buckley - Hallelujah*

<https://discord.com/channels/1089076875999072296/1105206101378617385/1105206101378617385>

*Frank Sinatra - In The Wee Small Hours Of The Morning*

<https://discord.com/channels/1089076875999072296/1106630301863657502/1106630301863657502>

3. The purpose for which this subpoena is sought is to obtain the identities of the individuals assigned to these websites who have reproduced and have offered for distribution our members' copyrighted sound recordings without their authorization. This information will only be used for the purposes of protecting the rights granted to our members, the sound recording copyright owner, under Title II of the Digital Millennium Copyright Act.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information or belief.

Executed at Washington, District of Columbia, on June 14, 2023.

A handwritten signature in black ink, appearing to read 'Mark McDevitt', with a long horizontal flourish extending to the right.

Mark McDevitt

**From:** antipiracy@riaa.com <antipiracy@riaa.com>  
**Sent:** Monday, June 12, 2023 4:04 PM  
**To:** copyright@discord.com  
**Subject:** Server Removal Request for Unauthorized Sound Recordings (REF: A421686600247)

June 12, 2023

REF: A421686600247

Hello,

I am contacting you on behalf of the Recording Industry Association of America, Inc. (RIAA) and its member record companies. The RIAA is a trade association whose member companies create, manufacture, and distribute approximately the majority of all legitimate sound recordings sold in the United States.

Under penalty of perjury, we submit that the RIAA is authorized to act on behalf of its member companies on matters involving the infringement of their sound recordings, including enforcing their copyrights and common law rights on the Internet, and including with respect to the copyrighted works identified below.

We have learned that Discord is operating and/or hosting the below-referenced Discord server(s) on its network. This server(s) is/are dedicated to infringing our members' copyrighted sound recordings by offering, selling, linking to, hosting, streaming, and/or distributing files containing our members' sound recordings without authorization. Below is a representative list of the infringing files/locations and related sound recordings being infringed on or via that/those Discord server(s).

We have a good faith belief that this activity is not authorized by the copyright owner, its agent, or the law. We assert that the information in this notification is accurate, based upon the data available to us.

We are asking for your immediate assistance in stopping this unauthorized activity. Specifically, we request that you (i) remove and/or disable access to this Discord server, (ii) remove the files or links from your system, including any mirrored or duplicate copies of those files or links, and/or that you disable all access to the infringing files and associated links, and (iii) inform the server operator/s and the uploader/s to that server(s), as applicable, of the illegality of their conduct.

We also ask that you consider the widespread and repeated infringing nature of the server operator(s)' and uploader(s)' conduct (as applicable), and whether that conduct violates your terms of service and/or your company's repeat infringer policy.

This e-mail does not constitute a waiver of any right to recover damages incurred by virtue of any such unauthorized activities, and such rights as well as claims for other relief are expressly retained. In addition, our use of your service's required notice form, if applicable, is merely meant to facilitate removal of the infringing material listed below and is not meant to suggest or imply that your activities and services are within the scope of the DMCA safe harbor.

You may contact me at RIAA, 1000 F Street NW, 2nd Floor, Washington, D.C. 20004, Tel. (202) 775-0101, or by e-mail at antipiracy@riaa.com to discuss this notice. Thank you for your assistance.

Regards,  
Alissa Hayward  
Online Content Protection  
RIAA

Logic <sup>Buried</sup>  
Alive <https://discord.com/channels/1089076875999072296/1103244091233402910/1103244091233402910>

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**From:** antipiracy@riaa.com <antipiracy@riaa.com>  
**Sent:** Friday, May 26, 2023 6:13 PM  
**To:** copyright@discord.com  
**Subject:** Server Removal Request for Unauthorized Sound Recordings (REF: A461685139161)

May 26, 2023

REF: A461685139161

Hello,

I am contacting you on behalf of the Recording Industry Association of America, Inc. (RIAA) and its member record companies. The RIAA is a trade association whose member companies create, manufacture, and distribute approximately the majority of all legitimate sound recordings sold in the United States.

Under penalty of perjury, we submit that the RIAA is authorized to act on behalf of its member companies on matters involving the infringement of their sound recordings, including enforcing their copyrights and common law rights on the Internet, and including with respect to the copyrighted works identified below.

We have learned that Discord is operating and/or hosting the below-referenced Discord server(s) on its network. This server(s) is/are dedicated to infringing our members' copyrighted sound recordings by offering, selling, linking to, hosting, streaming, and/or distributing files containing our members' sound recordings without authorization. Below is a representative list of the infringing files/locations and related sound recordings being infringed on or via that/those Discord server(s).

We have a good faith belief that this activity is not authorized by the copyright owner, its agent, or the law. We assert that the information in this notification is accurate, based upon the data available to us.

We are asking for your immediate assistance in stopping this unauthorized activity. Specifically, we request that you (i) remove and/or disable access to this Discord server, (ii) remove the files or links from your system, including any mirrored or duplicate copies of those files or links, and/or that you disable all access to the infringing files and associated links, and (iii) inform the server operator/s and the uploader/s to that server(s), as applicable, of the illegality of their conduct.

We also ask that you consider the widespread and repeated infringing nature of the server operator(s)' and uploader(s)' conduct (as applicable), and whether that conduct violates your terms of service and/or your company's repeat infringer policy.

This e-mail does not constitute a waiver of any right to recover damages incurred by virtue of any such unauthorized activities, and such rights as well as claims for other relief are expressly retained. In addition, our use of your service's required notice form, if applicable, is merely meant to facilitate removal of the infringing material listed below and is not meant to suggest or imply that your activities and services are within the scope of the DMCA safe harbor.

You may contact me at RIAA, 1000 F Street NW, 2nd Floor, Washington, D.C. 20004, Tel. (202) 775-0101, or by e-mail at antipiracy@riaa.com to discuss this notice. Thank you for your assistance.

Regards,

Anthony Grande  
Online Content Protection  
RIAA

Mariah Carey	Always Be My Baby	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1108774259314147369">https://discord.com/channels/1089076875999072296/1099171514445746196/1108774259314147369</a>
50 Cent	In Da Club	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1107970267306799204">https://discord.com/channels/1089076875999072296/1099171514445746196/1107970267306799204</a>
Red Hot Chili Peppers	Under The Bridge	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1107018102547427408">https://discord.com/channels/1089076875999072296/1099171514445746196/1107018102547427408</a>
Olivia Rodrigo	Jealousy, Jealousy	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1105207069772095518">https://discord.com/channels/1089076875999072296/1099171514445746196/1105207069772095518</a>
Bruno Mars	When I Was Your Man	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1104868476457320448">https://discord.com/channels/1089076875999072296/1099171514445746196/1104868476457320448</a>
Stevie Wonder	Sir Duke	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1099520622754799616">https://discord.com/channels/1089076875999072296/1099171514445746196/1099520622754799616</a>
Shawn Mendes	There's Nothing Holdin' Me Back	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1099672843882594414">https://discord.com/channels/1089076875999072296/1099171514445746196/1099672843882594414</a>
Madonna	Frozen	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1100172097256443986">https://discord.com/channels/1089076875999072296/1099171514445746196/1100172097256443986</a>
Rihanna	Bitch Better Have My Money	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1101038749724450826">https://discord.com/channels/1089076875999072296/1099171514445746196/1101038749724450826</a>
Shakira	Whenever, Wherever	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1101869533842636820">https://discord.com/channels/1089076875999072296/1099171514445746196/1101869533842636820</a>
Ludacris	Call Ya Bluff	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1103739580538175518">https://discord.com/channels/1089076875999072296/1099171514445746196/1103739580538175518</a>
Jeff Buckley	Hallelujah	<a href="https://discord.com/channels/1089076875999072296/1099171514445746196/1104846564125581463">https://discord.com/channels/1089076875999072296/1099171514445746196/1104846564125581463</a>
Ariana Grande	Dangerous Woman	<a href="https://discord.com/channels/1089076875999072296/110104747277859082/110104747277859082">https://discord.com/channels/1089076875999072296/110104747277859082/110104747277859082</a>
Bruno Mars	Talking To The Moon	<a href="https://discord.com/channels/1089076875999072296/1106108180590764063/1106108180590764063">https://discord.com/channels/1089076875999072296/1106108180590764063/1106108180590764063</a>
Jeff Buckley	Hallelujah	<a href="https://discord.com/channels/1089076875999072296/1105206101378617385/1105206101378617385">https://discord.com/channels/1089076875999072296/1105206101378617385/1105206101378617385</a>
Frank Sinatra	In The Wee Small Hours Of The Morning	<a href="https://discord.com/channels/1089076875999072296/1106630301863657502/1106630301863657502">https://discord.com/channels/1089076875999072296/1106630301863657502/1106630301863657502</a>



UNITED STATES DISTRICT COURT

for the
District of Columbia

In re: DMCA 512(h) Subpoena to Discord, Inc.

Plaintiff

v.

Defendant

Case: 1:23-mc-00062

Assigned To : Unassigned Assign.

Date : 6/14/2023

Description: Misc. (O-Deck)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Discord, Inc., c/o CT Corporation System, 300 North Brand Boulevard, Suite 700, Glendale, CA 91203

(Name of person to whom this subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Information sufficient to identify the alleged infringers of the sound recordings described in the attached declaration. This would include the individuals' names, physical addresses, IP addresses, telephone numbers, e-mail addresses, payment information, account updates and account history.

Place: Kenneth Doroshov, Esq., RIAA, 1000 F Street NW, 2nd Floor, Washington, DC 20004, antipiracy@riaa.com

Date and Time:

06/30/2023 5:00 pm

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

Date: 6/14/2023

CLERK OF COURT
[Signature]

Signature of Clerk or Deputy Clerk

OR

ANGELA D. CAESAR

Attorney's signature

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

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).