

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Strike 3 Holdings, LLC v. John Doe Subscriber Assigned IP Address 67.252.90.119

Strike 3 Holdings, LLC v. Doe · No. 6:25-CV-06706 EAW · Decided May 21, 2026

SUMMARY

The United States District Court for the Western District of New York grants Strike 3 Holdings, LLC leave to serve a Rule 45 subpoena on Spectrum to identify the subscriber associated with IP address 67.252.90.119 in a copyright infringement action. The Court also imposes confidentiality protections and extends the deadline for service of the complaint to July 13, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Elizabeth A. Wolford
JURISDICTION	United States District Court for the Western District of New York
DECIDED	May 21, 2026
DOCKET	6:25-CV-06706 EAW
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved ex parte for leave to serve a Rule 45 subpoena on Defendant's internet service provider before the Rule 26(f) conference and moved for an extension of time to serve Defendant.
STANDARD OF REVIEW	The court applied a good-cause standard to the request for expedited discovery under Federal Rule of Civil Procedure 26(d)(1), considering whether Plaintiff established a prima facie claim, made a specific request, lacked alternative means to obtain the information, needed the information to advance the claim, and faced only a minimal privacy interest. The court also applied good cause under Rules 26(c)(1) and 4(m).
PRECEDENTIAL VALUE	unpublished district court decision; nonprecedential

TOPICS

- discovery dispute
- third party practice
- copyright infringement
- service of process
- civil procedure

PRACTICE AREAS

civil procedure

copyright law

discovery

QUESTIONS PRESENTED

1. Whether Plaintiff showed good cause for expedited discovery before the Rule 26(f) conference by serving a Rule 45 subpoena on Spectrum for the name and address of the subscriber assigned to the identified IP address.
2. Whether a protective order was appropriate to keep information disclosed in response to the subpoena confidential and to permit Defendant to proceed anonymously pending an opportunity to be heard.
3. Whether Plaintiff showed good cause under Rule 4(m) for an extension of time to serve Defendant.

HOLDINGS

1. Good cause existed under Rule 26(d)(1) to permit Plaintiff to serve Spectrum with a Rule 45 subpoena before the Rule 26(f) conference.
2. A protective order was warranted, at least temporarily, requiring information disclosed by Spectrum to be treated as confidential and preventing public disclosure of Defendant's identity until further order.
3. Plaintiff showed good cause for an extension under Rule 4(m), and the deadline to serve Defendant was extended to July 13, 2026.

KEY QUOTATIONS

“In sum, good cause exists for immediate discovery in this case by way of a third-party subpoena served on Spectrum to enable Plaintiff to ascertain the name and address of Defendant to effectuate service upon Defendant.”

“This risk of false positives gives rise to the potential for coercing unjust settlements from innocent defendants such as individuals who want to avoid the embarrassment of having their names publicly associated”

FACTUAL BACKGROUND

Plaintiff alleged that Defendant used the BitTorrent network to download and distribute portions of Plaintiff's copyrighted motion pictures without authorization. Plaintiff's infringement-detection systems allegedly connected to the identified IP address and documented transmission of pieces of files corresponding to Plaintiff's works. The subscriber's identity was unknown, and Plaintiff sought the subscriber's name and address from Spectrum solely to identify and serve Defendant.

PROCEDURAL HISTORY

Strike 3 Holdings commenced the copyright-infringement action on November 25, 2025, against an unidentified subscriber associated with IP address 67.252.90.119. Because Plaintiff could not identify or serve Defendant, it sought expedited third-party discovery from Spectrum and an extension of the service deadline. The court granted both motions and entered temporary confidentiality protections governing information disclosed in response to the subpoena.

DISPOSITION

other

CASES CITED

- In re BitTorrent Adult Film Copyright Infringement Cases, 296 F.R.D. 80, 87 (E.D.N.Y. 2012)
- Rotten Records, Inc. v. Doe, 107 F. Supp. 3d 257, 258-59 (W.D.N.Y. 2015)
- Catlin v. Global, No. 14-CV-6324L, 2014 WL 3955220, at *2 (W.D.N.Y. Aug. 13, 2014)
- Sony Music Entm't Inc. v. Does 1-40, 326 F. Supp. 2d 556, 565 (S.D.N.Y. 2004)
- Strike 3 Holdings, LLC v. Doe, No. 21-CV-7014 (VEC), 2022 WL 704022, at *3 (S.D.N.Y. Mar. 8, 2022)
- Malibu Media, LLC v. Doe, No. 14-CV-4808 (JS)(SIL), 2016 WL 4574677, at *6 (E.D.N.Y. Sept. 1, 2016)
- UN4 Prods., Inc. v. Doe-173.68.177.95, No. 17-CV-3278 (PKC) (SMG), 2017 WL 2589328, at *3 (E.D.N.Y. June 14, 2017)
- Digital Sin, Inc. v. Does 1-179, No. 11 Civ. 8172(PAE), 2012 WL 8282825, at *3 (S.D.N.Y. Feb. 1, 2012)
- Arista Records LLC v. Doe, 604 F.3d 110, 124 (2d Cir. 2010)
- Digital Sin, Inc. v. Does 1-176, 279 F.R.D. 239, 242 (S.D.N.Y. 2012)
- Strike 3 Holdings, LLC v. Doe, No. 1:18-CV-02651-AJN, 2018 WL 2229124, at *3 (S.D.N.Y. Apr. 25, 2018)
- Rotten Records, Inc. v. Doe, No. 15-CV-6650-FPG, 2016 WL 9460666, at *2 (W.D.N.Y. Sept. 27, 2016)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-western-district-of-new/2026/strike-3-holdings-llc-v-john-doe-subscriber-assigned-ip-9zrb0rxc>