

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Strike 3 Holdings, LLC v. John Doe subscriber assigned IP address
67.174.148.177

No. 2:25-cv-02564-WBS-CKD (E.D. Cal. Oct. 22, 2025) · No. No. 2:25-cv-02564-WBS-CKD · Decided
October 22, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Strike 3 Holdings, LLC’s ex parte application for expedited discovery to identify the subscriber associated with an IP address allegedly used for BitTorrent copyright infringement. The court authorizes a narrowly limited subpoena to obtain only the subscriber’s true name and address, while imposing notice, confidentiality, service, and status-report requirements. The order also provides procedures for a potential defendant to challenge the subpoena and attend a voluntary informal conference.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 22, 2025
DOCKET	No. 2:25-cv-02564-WBS-CKD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought ex parte leave under Federal Rule of Civil Procedure 26(d) to conduct expedited discovery before the Rule 26(f) conference and serve a subpoena on the defendant's internet service provider to identify the anonymous defendant.
STANDARD OF REVIEW	Good cause governs whether to permit expedited discovery before the Rule 26(f) conference. Good cause exists when the need for expedited discovery, considered in light of the administration of justice, outweighs prejudice to the responding party.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation or stated precedential designation.
PARTIES	Strike 3 Holdings, LLC v. John Doe subscriber assigned IP address 67.174.148.177

TOPICS

copyright infringement

discovery dispute

civil procedure

service of process

constitutional law

PRACTICE AREAS

Civil procedure

Copyright

Privacy and constitutional law

QUESTIONS PRESENTED

1. Whether plaintiff demonstrated good cause to obtain expedited discovery before the Rule 26(f) conference.
2. Whether plaintiff should be permitted to serve a narrowly tailored subpoena on the ISP to identify the person or entity associated with the subject IP address.
3. What privacy and procedural safeguards were required before allowing the subpoena and disclosure of the potential defendant's identity.

HOLDINGS

1. The court may authorize expedited discovery before the Rule 26(f) conference when good cause exists, meaning that the need for expedited discovery in light of the administration of justice outweighs prejudice to the responding party.
2. Plaintiff may serve the ISP with a limited subpoena seeking only the true name and address of the person or entity to whom the subject IP address was assigned.
3. Expedited discovery identifying an anonymous IP-address subscriber must be accompanied by safeguards addressing the subscriber's privacy interests and opportunity to challenge the subpoena.

KEY QUOTATIONS

“Good cause exists ‘where the need for expedited discovery, in consideration of the administration of justice, outweighs the prejudice to the responding party.’” (at 2)

“To simply issue an order for expedited discovery as requested here, raises a serious constitutional question of the IP address owner’s reasonable expectation of privacy.” (at 3)

“Establishing that the person identified by discovery is the person who infringed upon the copyright will likely require additional proofs beyond the fact that the individual is listed as the subscriber on the account from which the infringing activity originated.” (at 4)

FACTUAL BACKGROUND

Strike 3 alleged that it owns copyrights in various adult films and that an unidentified person used BitTorrent to download and distribute those films. Plaintiff identified the person only through the IP address 67.174.148.177 and sought the subscriber's true name and address from the ISP. The court emphasized that an IP-address subscriber may not be the person who committed the alleged infringement and that misidentification in a pornography-related case could cause embarrassment, reputational harm, or coercive settlement pressure.

PROCEDURAL HISTORY

Strike 3 filed a copyright-infringement action on September 8, 2025, against an unidentified subscriber associated with an IP address. Plaintiff then applied for expedited third-party discovery from the ISP. The court granted the application subject to privacy protections, limits on the subpoena, notice, an opportunity for the potential defendant to move to quash, and restrictions on service and disclosure.

DISPOSITION

other

CASES CITED

- *Semitool, Inc. v. Tokyo Electron America, Inc.*, 208 F.R.D. 273, 276 (N.D. Cal. 2002)
- *UMG Recordings, Inc. v. Doe*, 2008 WL 4104207, at *3 (N.D. Cal. Sept. 4, 2008)
- *Arista Records, LLC v. Doe 3*, 604 F.3d 110, 119 (2d Cir. 2010)
- *Sony Music Entm't Inc. v. Does 1-40*, 326 F. Supp. 2d 556, 564-65 (S.D.N.Y. 2004)
- *Griswold v. Connecticut*, 381 U.S. 479, 485 (1965)
- *Soto v. City of Concord*, 162 F.R.D. 603, 618 (N.D. Cal. 1995)
- *In re BitTorrent Adult Film Copyright Infringement Cases*, 296 F.R.D. 80, 84, 90 (E.D.N.Y. 2012)
- *Manny Film LLC v. Doe Subscriber Assigned IP Address 50.166-88-98*, 98 F. Supp. 3d 693, 695 (D.N.J. 2015)
- *Malibu Media, LLC v. John Does 1-18*, No. 12-7643(NLH/AMD), 2013 U.S. Dist. LEXIS 155911, at *8-9 (D.N.J. Mar. 22, 2013)