

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Strike 3 Holdings, LLC v. John Doe Subscriber Assigned IP Address
98.51.14.109

No. 2:25-cv-01587-WBS-CKD (E.D. Cal. July 15, 2025) · No. No. 2:25-cv-01587-WBS-CKD · Decided July
15, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Strike 3 Holdings, LLC's ex parte application to serve a third-party subpoena on the internet service provider associated with IP address 98.51.14.109. The order limits discovery to the subscriber's name and address, imposes notice and confidentiality protections, permits an informal conference concerning any motion to quash, and bars formal service absent further court order.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 15, 2025
DOCKET	No. 2:25-cv-01587-WBS-CKD
PROCEDURAL POSTURE	Plaintiff sought ex parte leave to conduct expedited discovery and serve a third-party subpoena on its internet service provider before the Rule 26(f) conference to identify an anonymous copyright-infringement defendant.
STANDARD OF REVIEW	Good cause governs requests for expedited discovery before the Rule 26(f) conference. The court also considered the five factors identified in Arista Records, LLC v. Doe 3 for discovery seeking identification of an anonymous defendant.

QUESTIONS PRESENTED

- Whether plaintiff showed good cause to obtain expedited discovery before the Rule 26(f) conference.
- Whether the court should authorize a subpoena to the ISP to identify the person or entity associated with the subject IP address.

3. What safeguards were required to protect the potential defendant's privacy and provide an opportunity to challenge the subpoena.

HOLDINGS

1. A court may authorize expedited discovery before the Rule 26(f) conference when good cause exists, meaning that the need for expedited discovery, considered in light of the administration of justice, outweighs prejudice to the responding party.
2. Plaintiff established sufficient grounds for limited discovery because it presented a prima facie copyright claim, narrowly sought the subscriber's name and contact information, lacked an alternative means of identifying the defendant, and required the information to proceed with the action.
3. Because an IP-address subscriber may not be the actual infringer and disclosure of an alleged pornographic-film download could cause embarrassment or reputational harm, expedited discovery could be granted only with safeguards protecting privacy and permitting the potential defendant to challenge the subpoena.

FACTUAL BACKGROUND

Plaintiff alleged that it owns copyrights in adult films and that an unidentified person used BitTorrent to download and distribute the films through IP address 98.51.14.109. Plaintiff submitted a list of downloads associated with the IP address and asserted that it could not identify or serve the defendant without subpoenaing the ISP. The court recognized that the subscriber associated with an IP address may not be the person who used a particular device to download a film and that disclosure could cause embarrassment or reputational harm if the person were wrongly identified.

PROCEDURAL HISTORY

Strike 3 Holdings filed a copyright-infringement action against an unidentified subscriber associated with IP address 98.51.14.109. Before the defendant was identified or served, plaintiff applied for expedited discovery from the defendant's ISP. The court granted the application subject to limits on the subpoena, notice, service, confidentiality, and an opportunity for the potential defendant to challenge the subpoena.