

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Strike 3 Holdings, LLC v. John Doe subscriber assigned IP Address
107.211.101.30

Strike 3 Holdings · No. 3:25-cv-403 · Decided January 9, 2026

SUMMARY

The United States District Court for the Southern District of Ohio grants Strike 3 Holdings, LLC leave to serve an Internet service provider with a Rule 45 subpoena before the Rule 26(f) conference to identify a John Doe defendant accused of copyright infringement. The Court limits the subpoena to the defendant’s name and residential address, establishes notice and challenge procedures, and permits the defendant to proceed anonymously under a protective order.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Timothy S. Black
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	January 9, 2026
DOCKET	3:25-cv-403
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to serve a third-party subpoena on the Internet Service Provider associated with the identified IP address before the Rule 26(f) conference. The court granted the motion and issued a protective order allowing the defendant to proceed anonymously for a limited period.
STANDARD OF REVIEW	Good cause is required to authorize expedited discovery before the Rule 26(f) conference.
PRECEDENTIAL VALUE	Nonprecedential, case-specific district court order

TOPICS

- discovery dispute
- copyright infringement
- civil procedure

PRACTICE AREAS

civil procedure

copyright

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated good cause for leave to serve a third-party subpoena before the Rule 26(f) conference.
2. What limitations and safeguards should govern the expedited subpoena and disclosure of identifying information.
3. Whether Defendant should be permitted to proceed anonymously under Federal Rule of Civil Procedure 26(c) while the subpoena-based identification process proceeds.

HOLDINGS

1. A court may authorize discovery before the Rule 26(f) conference when the requesting party demonstrates good cause, and Plaintiff demonstrated good cause here.
2. The subpoena may seek only Defendant's full name and residential address from the associated ISP; Plaintiff may not seek email addresses or telephone numbers and may use the information only to protect and enforce the rights alleged in the complaint.
3. Defendant may proceed anonymously for a limited time while discovery determines whether Defendant is the individual connected to the identified IP address.

KEY QUOTATIONS

“Good cause may be found based upon “(1) allegations of copyright infringement, (2) the danger that the ISP will not preserve the information sought, (3) the narrow scope of the information sought, and (4) the conclusion that expedited discovery would substantially contribute to moving the case forward.””

“Plaintiff has demonstrated good cause for early discovery.”

“Defendant may proceed anonymously until discovery suggests that they are the individual connected to the IP address in Strike 3’s non-party subpoena.”

FACTUAL BACKGROUND

Plaintiff alleged that Defendant directly infringed its copyright and identified Defendant through an IP address. Plaintiff sought a Rule 45 subpoena to the associated Internet Service Provider to obtain Defendant's full name and residential address because the information was necessary to prosecute the claim and was otherwise unavailable. The court also considered the sensitive nature of the allegations, the risk of false positives in identifying an ISP subscriber, and the public's common-law right of access to court proceedings.

PROCEDURAL HISTORY

Strike 3 Holdings, LLC filed a copyright-infringement action against an unidentified subscriber associated with IP address 107.211.101.30. Before the Rule 26(f) conference, Plaintiff moved under Federal Rule of Civil Procedure 26(d)(1) for leave to conduct expedited third-party discovery. The court granted the motion subject to

limitations on the information sought, notice and preservation requirements, and a protective order governing Defendant's anonymity.

DISPOSITION

other

CASES CITED

- Malibu Media, LLC v. Doe, No. 2:15-CV-1202, 2015 WL 12732859, at *1 (S.D. Ohio Apr. 13, 2015)
- Strike 3 Holdings, LLC v. Doe, No. 19-10720, 2019 WL 2523591, at *1 (E.D. Mich. June 19, 2019)

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