

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, FORT MYERS DIVISION

Strike 3 Holdings, LLC v. John Doe

Strike 3 Holdings · No. 2:26-cv-80-SPC-NPM · Decided February 2, 2026

SUMMARY

The United States District Court for the Middle District of Florida grants Strike 3 Holdings, LLC’s motion for leave to serve a third-party subpoena seeking to identify an unnamed defendant accused of copyright infringement through BitTorrent. The order authorizes limited expedited discovery and establishes notice, challenge, confidentiality, preservation, and communication safeguards for the internet subscriber.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	United States Magistrate Judge
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 2, 2026
DOCKET	2:26-cv-80-SPC-NPM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to serve a third-party subpoena on the defendant's internet service provider before the Rule 26(f) conference in order to identify the unnamed defendant.
STANDARD OF REVIEW	The court evaluated whether plaintiff demonstrated good cause for expedited discovery before the Rule 26(f) conference.
PRECEDENTIAL VALUE	unpublished

TOPICS

- discovery dispute
- third party practice
- copyright infringement
- civil procedure

PRACTICE AREAS

- Civil procedure
- Copyright

QUESTIONS PRESENTED

1. Whether plaintiff demonstrated good cause to obtain expedited discovery before the Rule 26(f) conference.
2. Whether the requested subpoena and limited discovery should be authorized subject to safeguards protecting a potentially misidentified ISP subscriber.

HOLDINGS

1. A plaintiff alleging internet-based copyright infringement may obtain limited pre-discovery identifying information from an internet service provider upon a showing of good cause, and Strike 3 demonstrated good cause here.
2. Limited identifying discovery was authorized subject to safeguards requiring notice to the subscriber, an opportunity to move to quash, delayed disclosure during any challenge, preservation of information, restricted use, and specified communications procedures.

KEY QUOTATIONS

“In cases involving infringement via the internet, courts often evaluate good cause by considering factors such as the concreteness of the plaintiffs prima facie case of infringement; the specificity of the discovery request; the absence of alternative means to obtain the subpoenaed information; and the need for the subpoenaed information to advance the claim.”

“The ISP subscriber at a given IP address may not be the same individual who engaged in the infringing activity.”

FACTUAL BACKGROUND

Strike 3 Holdings alleged that it owns copyrights in several adult films and that John Doe copied and distributed those films without permission through BitTorrent. Because Doe's identity was unknown, Strike 3 sought Doe's name and address from the internet service provider assigned the relevant IP address so that it could effect service of process. The court recognized that the subscriber associated with the IP address might not be the individual who committed the alleged infringement.

PROCEDURAL HISTORY

Strike 3 Holdings filed a copyright-infringement action against an unnamed John Doe defendant and then moved for leave to serve a pre-discovery subpoena on Comcast Cable Communications, LLC. The court granted the motion and authorized limited expedited discovery subject to procedural safeguards protecting the subscriber's ability to challenge the subpoena and limiting use of the disclosed information.

DISPOSITION

other

CASES CITED

- Richardson v. Virtuoso Sourcing Grp., L.L.C., No. 8:15-cv-2198-T-17JSS, 2015 WL 12862517, *1 (M.D. Fla. Oct. 27, 2015)
- Manny Film LLC v. Doe, No. 8:15-cv-507-T-36EAJ, 2015 WL 12850566, *1 (M.D. Fla. May 18, 2015)
- Malibu Media, LLC v. Doe, No. 8:15-cv-2314-T-17TBM, 2015 WL 12856086, *1 (M.D. Fla. Nov. 6, 2015)

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