

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Strike 3 Holdings, LLC v. John Doe subscriber assigned IP address
24.25.214.125

Case No. 3:25-cv-02590-BAS-AHG · No. 3:25-cv-02590-BAS-AHG · Decided October 15, 2025

SUMMARY

The United States District Court for the Southern District of California grants Strike 3 Holdings, LLC’s ex parte application to serve a Rule 45 subpoena on Spectrum before the Rule 26(f) conference. The subpoena may seek only the true name and address of the subscriber assigned the specified IP address, subject to notice, an opportunity to challenge disclosure, preservation requirements, and limits on use of the information.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Allison H. Goddard
JURISDICTION	United States District Court for the Southern District of California
DECIDED	October 15, 2025
DOCKET	3:25-cv-02590-BAS-AHG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved ex parte for leave to serve a third-party subpoena on the Internet service provider before the Rule 26(f) conference in order to identify the Doe defendant. No defendant had been named or served, and the court granted the application subject to procedural safeguards.
STANDARD OF REVIEW	Good cause for expedited discovery is evaluated by balancing the need for expedited discovery, in consideration of the administration of justice, against prejudice to the responding party.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Strike 3 Holdings, LLC v. John Doe subscriber assigned IP address 24.25.214.125

TOPICS

discovery dispute

service of process

civil procedure

copyright infringement

personal jurisdiction

PRACTICE AREAS

civil procedure

copyright litigation

intellectual property

QUESTIONS PRESENTED

1. Whether Plaintiff established good cause to obtain expedited discovery before the Rule 26(f) conference to identify the Doe defendant.
2. Whether Plaintiff identified the Doe defendant with sufficient specificity and showed that the subpoena would likely produce information permitting service.
3. Whether Plaintiff demonstrated good-faith efforts to identify the defendant through other means.
4. Whether the complaint could withstand a motion to dismiss for failure to state a copyright-infringement claim, lack of personal jurisdiction, or improper venue.
5. What procedural safeguards should govern disclosure of the Doe subscriber's identifying information.

HOLDINGS

1. A court may authorize limited expedited discovery after a complaint is filed, before the Rule 26(f) conference, when the plaintiff demonstrates good cause to obtain identifying information necessary to serve an unknown defendant.
2. Plaintiff established good cause because it identified the Doe defendant with sufficient specificity, made good-faith efforts to locate the defendant through other means, showed that the complaint could withstand a motion to dismiss, and demonstrated that the subpoena would likely yield information permitting service.
3. The complaint stated a copyright-infringement claim sufficient to withstand a motion to dismiss and alleged facts supporting personal jurisdiction and venue.
4. The subpoena may seek only the Doe subscriber's true name and address, and disclosure is subject to notice, an opportunity to challenge, preservation obligations, restricted use, and continued anonymity absent further court order.

KEY QUOTATIONS

“Good cause is established through a balancing test “where the need for expedited discovery, in consideration of the administration of justice, outweighs the prejudice to the responding party.”” (at 3)

“Thus, Plaintiff’s Complaint has stated a claim for copyright infringement against the Doe Defendant sufficient to survive a motion to dismiss.” (at 8)

“Plaintiff may serve the ISP with a Rule 45 subpoena commanding the ISP to provide Plaintiff with only the true name and address of the Defendant” (at 9)

FACTUAL BACKGROUND

Strike 3 Holdings alleged that an unidentified Spectrum subscriber using IP address 24.25.214.125 infringed its copyrighted adult motion pictures through the BitTorrent network. Plaintiff submitted declarations describing its VXN Scan system, forensic review of recorded transactions, copyright verification, and repeated geolocation of the IP address to Carlsbad, California. Plaintiff asserted that only Spectrum could correlate the IP address with the subscriber's identity and sought only the subscriber's name and address.

PROCEDURAL HISTORY

Strike 3 Holdings filed a copyright-infringement complaint against an unidentified subscriber associated with IP address 24.25.214.125. Before service and before the Rule 26(f) conference, Plaintiff sought leave to subpoena Spectrum for the subscriber's true name and address. The court granted the application and imposed notice, challenge, preservation, use, and confidentiality conditions.

DISPOSITION

other

CASES CITED

- Columbia Insurance Co. v. Seescandy.com, 185 F.R.D. 573, 577-80 (N.D. Cal. 1999)
- UMG Recordings, Inc. v. Doe, No. C-08-3999-RMW, 2008 WL 4104207, at *2 (N.D. Cal. Aug. 29, 2008)
- Wakefield v. Thompson, 177 F.3d 1160, 1163 (9th Cir. 1999)
- Gillespie v. Civiletti, 629 F.2d 637, 642 (9th Cir. 1980)
- Semitool, Inc. v. Tokyo Electron America, Inc., 208 F.R.D. 273, 275-76 (N.D. Cal. 2002)
- 808 Holdings, LLC v. Collective of December 29, 2011 Sharing Hash, No. 12cv186 MMA-RBB, 2012 WL 12884688, at *4 (S.D. Cal. May 4, 2012)
- Openmind Solutions, Inc. v. Does 1-39, No. C-11-3311-MEJ, 2011 WL 4715200, at *2 (N.D. Cal. Oct. 7, 2011)
- Pink Lotus Entertainment, LLC v. Does 1-46, No. C-11-02263, 2011 WL 2470986, at *3 (N.D. Cal. June 21, 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Range Road Music, Inc. v. East Coast Foods, Inc., 668 F.3d 1148, 1153 (9th Cir. 2012)
- Perfect 10, Inc. v. Giganews, Inc., 847 F.3d 657, 666 (9th Cir. 2017)
- Malibu Media, LLC v. Does 1-5, No. 12-Civ-2950-JPO, 2012 WL 2001968, at *1 (S.D.N.Y. June 1, 2012)