

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION**

MALIBU MEDIA, LLC,)
Plaintiff,)
)
v.) CAUSE NO. 4:13-CV-27-JD-JEM
)
JOHN DOE, *subscriber assigned IP*)
address 98.226.144.247,)
Defendant.)

SHOW CAUSE ORDER

This matter is before the Court *sua sponte*. This copyright infringement case involves a Defendant originally known to Plaintiff only by an IP address of 98.226.144.247. On April 22, 2013, Plaintiff filed a Motion for Leave to Serve a Third Party Subpoena Prior to a Rule 26(f) Conference in order to request from Defendant's Internet Service Provider ("ISP") the identity of the subscriber assigned that IP address at the time of the alleged downloads. On May 9, 2013, this Court granted Plaintiff's motion. However, due to the potential for embarrassment and annoyance to Defendant because of the sexually explicit nature of the allegedly downloaded films, the Court also entered a Protective Order allowing Defendant to proceed anonymously and placing restrictions on Plaintiff's contact with anyone identified in the ISP's response to the subpoena, stating:

Plaintiff, its counsel, and any other person or entity acting for or on its behalf shall hereafter refrain from any direct communication with Defendant without express leave of Court. The sole exception to this prohibition is that counsel for Plaintiff may arrange to effect service of a summons and the Complaint upon a putative Defendant and following service upon a Defendant may properly serve any other papers filed with the Court upon that Defendant. Communications with counsel for putative Defendant are permitted.

Plaintiff has not requested leave of Court to communicate with Defendant, and no counsel has appeared on behalf of Defendant.

On July 24, 2013, Plaintiff filed Plaintiff's Notice of Settlement with Defendant John Doe [DE 10]. It appears to the Court that Plaintiff has communicated with Defendant in violation of this Court's Protective Order of May 9, 2013.

Accordingly, the Court hereby **SETS** this matter for an **in-person** show cause hearing for **August 15, 2013, at 1:30 p.m.**, for counsel to **SHOW CAUSE**, if any, as to why he appears to have violated the Court's Protective Order in this case.

SO ORDERED this 29th day of July, 2013.

s/ John E. Martin
MAGISTRATE JUDGE JOHN E. MARTIN
UNITED STATES DISTRICT COURT

cc: All counsel of record