

1232 Tamm Ave
Saint Louis, MO 63139
ID Number: 3081

09/09/2011

Court Clerk
U.S. District Court of the District of Columbia
333 Constitution Avenue N.W.
Washington, D.C. 20001

Leave to file GRANTED

Beryl A. Howell 9/20/11
Beryl A. Howell Date
United States District Judge

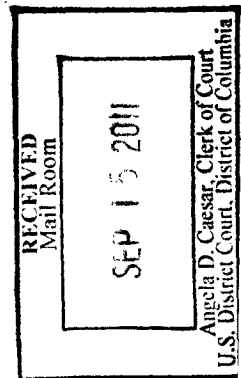
RE: Objection to Subpoena; Voltage Pictures, LLC v. Does 1 - 5,000 (1:10-cv-00873-RMU)

To Whom It May Concern:

I am writing to formally object to the release of my personal information, including my name, telephone number, Media Access Address, and email address to the plaintiff(s) in the above titled subpoena/action, and to any of their attorneys, agents, or any agents of the attorneys. Under federal law and the Federal Rules of Civil Procedure, I am entitled to submit a written objection to a request or subpoena for personally identifiable information made to my cable service provider.

The privacy of cable service subscribers is protected under federal law. Specifically, provisions of The Cable Act of 1984 provide that: "a Cable Operator shall not disclose the personally identifiable information concerning a subscriber without prior written or electronic consent of the subscriber concerned." 47 U.S.C. § 551 (1984). A cable operator may disclose a subscriber's personally identifiable information under only three circumstances; (i.) if it is necessary to render or conduct business activity related to the cable service provided by the cable operator; (ii.) disclosure is made to a government entity pursuant to a court order, and only if the government entity offers the court clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity; (iii.) it is made to any cable service provided that the subscriber is notified and given the opportunity to prohibit or limit such disclosure. **Id.**

In its subpoena, the plaintiff requests that my cable service provider release personally identifiable information about me, including my name, address, telephone number, and email address. In addition, the plaintiff requests that the cable provider release the Media Access



Address associated with my cable service account. Disclosure of my personal Media Access Address would lead to the discovery of my name, address, telephone number, and email address on record with the cable provider.

The plaintiff is neither a government entity or cable service provider, and the personal information it seeks is not for the purpose of a criminal prosecution or legitimate business activity associated with rendering my specific cable service. Furthermore, I have NOT provided written, electronic, or any other form of consent to my cable company to release personally identifiable information. In addition, I have submitted a written objection to the release of my personal information to my cable service provider.

Given the privacy protection of the federal laws discussed above, and my written objection to disclosure of personally identifiable information, I ask that the court prohibit the release of my name, address, phone number, email address, and Media Access Address to the plaintiff(s).

Sincerely,

Kelley A. Johnson

A handwritten signature in black ink, appearing to read "K.A." followed by a stylized, cursive flourish that extends to the right.

AO 88B (Rev 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

Voltage Pictures, LLC)	
Plaintiff)	
v.)	Civil Action No. 1:10-cv-00873-RMU
DOES 1-5,000)	
Defendant)	(If the action is pending in another district, state where:)

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: Charter Communications, Inc., Attn: Custodian of Records
12405 Powerscourt Drive, St. Louis, MO 63131; Fax: 314-909-0609

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: Pursuant to the attached order, provide the name, current (and permanent) addresses, telephone numbers, e-mail addresses and Media Access Control addresses of all individuals whose IP addresses are listed in the attached spreadsheet.

Place: Nicholas A. Kurtz, Dunlap, Grubb & Weaver, PLLC 1200 G Street, NW Suite 800, Washington, DC 20005	Date and Time: 10/18/2013 10:00 am
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Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

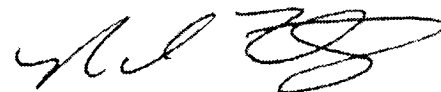
Place:	Date and Time:
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The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 10/19/2010

CLERK OF COURT

OR



Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Plaintiff
Voltage Pictures, LLC, who issues or requests this subpoena, are:
Nicholas A. Kurtz, Dunlap, Grubb & Weaver, PLLC, 1200 G Street, NW Suite 800, Washington, DC 20005
Tel: 877-223-7212, Fax: 866-874-5101, email: subpoena@dgwlegal.com

Full docket text:

MINUTE ORDER granting [4] motion for order. Upon consideration of the plaintiff's motion for leave to take discovery prior to the Rule 26(f) conference, it is hereby ORDERED that the motion is GRANTED. SO ORDERED. Signed by Judge Ricardo M. Urbina on 06/25/2010. (EN,)

PACER Service Center			
Transaction Receipt			
07/30/2010 14:19:58			
PACER Login:	dg1227	Client Code:	Voltage
Description:	History/Documents	Search Criteria:	1:10-cv-00873-RMU
Billable Pages:	1	Cost:	0.08