

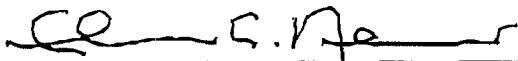
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BMG MUSIC, et al.	:	CIVIL ACTION
Plaintiffs	:	NO. 04-650
	:	
v.	:	
	:	
DOES 1-203,	:	
Defendants.	:	

**ORDER**

AND NOW, this <sup>th</sup>5 day of March, 2004, upon consideration of Plaintiff's Motion for Leave to Take Expedited Discovery (Doc. 3), it is hereby ORDERED that said Motion is GRANTED with respect to the Defendant identified as "Doe #1." As this Court has severed all other Defendants, discovery issues in the other cases will be at the discretion of other randomly assigned judges of this Court. Plaintiffs therefore have leave to serve immediate discovery on Comcast to obtain the identity only of the Doe Defendant known as "Doe #1" in Exhibit A of Plaintiffs' Complaint. The Court notes that Comcast is now, if it is not already, on notice that it possesses documents necessary to litigation (the subscriber data that relates individual users to their internet protocol address), and it should act to preserve all relevant information with an eye towards Plaintiffs' discovery needs. This Order does not prejudice Comcast's ability to seek a protective order, or to take other actions as are appropriate.

AND IT IS SO ORDERED.

  
 \_\_\_\_\_  
 Clarence C. Newcomer, S.J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BMG MUSIC, et al.	:	CIVIL ACTION
	:	
Plaintiffs	:	NO. 04-650
	:	
v.	:	
	:	
DOES 1-203,	:	
	:	
Defendants.	:	

ORDER

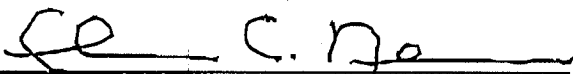
AND NOW, this <sup>th</sup>5 day of March, 2004, upon inspection of the above-captioned case, the Court finds the following:

1. The Plaintiffs in the above-captioned case have filed one joint civil action against two-hundred and three Defendants.
2. Nothing in the Complaint indicates that the alleged claims are the result of the same incident or incidents; and
3. The claims against the different Defendants will require separate trials as they may involve separate witnesses, different evidence, and different legal theories and defenses, which could lead to confusion of the jury. United States v. 1,071.08 Acres of Land, Yuma & Mohave Counties, Arizona, 564 F.2d 1350 (9th Cir. 1977); Fed. R. Civ. Pro. 21; Fed. R. Civ. Pro. 42(b). Moreover, the Court finds that there will almost certainly be separate issues of fact with respect to each Defendant. Fed. R. Civ. Pro. 20.

Accordingly, it is hereby ORDERED as follows:

4. Pursuant to Fed. R. Civ. Pro. 21 and 42(b), the claims set forth in the above-captioned Complaint shall be SEVERED, as nothing in the Complaint indicates that the Plaintiffs suffered their alleged injuries as a result of the same transaction or occurrence;
5. Counsel shall submit for filing, within thirty (30) days of the date of this Order, two-hundred and three (203) new Amended Complaints, one for each Defendant.
6. Plaintiff's Counsel shall submit to the Clerk of Court filing fees for the Amended Complaints against John Does 2-203, which cases shall be assigned separate civil action numbers and assigned at random to other judges of this Court; and
7. Civil Action No. 04-650 is to be assigned to John Doe No. 1 as an individual Defendant. The actions against all other Defendants will be deemed to have been filed as of February 17, 2004.
8. The Clerk shall not treat the Amended Complaints as related pursuant to Loc. R. Civ. Pro. 40.1(b)(3).

AND IT IS SO ORDERED.

  
Clarence C. Newcomer S.J.