

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 14-61957-CIV-COHN/SELTZER

MALIBU MEDIA, LLC,

Plaintiff,

vs.

ROBERT DARE,

Defendant.

ORDER

THIS CAUSE is before the Court on Plaintiff's Motion for Entry of an Order Authorizing Plaintiff to Serve a Third Party Subpoena on Comcast Cable and Authorizing Comcast to Release Certain Subscriber Information about Defendant (DE 56) and was referred to the undersigned pursuant to 28 U.S.C. § 636 (DE 4). The Court having considered the Motion (DE 56) and being otherwise fully advised, it is hereby ORDERED as follows:

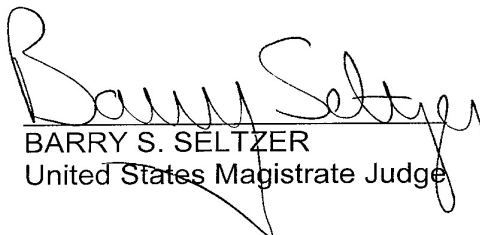
1. On or before Thursday, September 24, 2015, counsel for the parties shall confer in person or by telephone in a good faith attempt to resolve the issue(s) raised by the instant motion (DE 56). On or before noon on Friday, September 25, 2015, the parties shall file a Joint Status Report detailing the outcome of this of this conference, including informing the Court of all efforts made (as well as who was in attendance), all agreements reached, and identifying (by category and/or number when applicable) the discovery issues

raised by the motion that remain, if any.¹ Furthermore, in the Joint Status Report, Plaintiff shall identify (with specificity and support) how the Subpoena at issue comports with Fed. R. Civ. P. 45(c). See Fed. R. Civ. P. 45(c); see also Proposed Subpoena (DE 56-1).

2. If the parties are unable to resolve the issue(s) raised by the instant motion, Defendant shall serve and file his Response to Plaintiff's Motion/ unresolved issues raised in Joint Status Report, addressing (with specificity and with support) the (remaining) issue(s) raised if any, on or before 5:00 p.m. on Monday, September 28, 2015.

3. Plaintiff shall serve and file its Reply to Defendant's Response on or before 3:00 p.m. on Wednesday, September 30, 2015.

DONE AND ORDERED at Fort Lauderdale, Florida this 22nd day of September 2015.


BARRY S. SELTZER
United States Magistrate Judge

¹ The Court expects counsel to cooperate and to fully comply with the applicable rules in all proceedings in this cause. See S.D. Fla. L.R. 11.1.C (incorporating the Rules Regulating The Florida Bar into Local Rules); Preamble, Guidelines for Professional Conduct, Florida Bar Rules (noting that attorneys have a "duty of courtesy and cooperation with fellow professionals for the efficient administration of our system of justice and the respect of the public it serves"); see also See S.D. Fla. Local Rules, Introductory Statement to General Rules ("Members of the bar and the Court are proud of the long tradition of courteous practice in the Southern District of Florida. Indeed, it is a fundamental tenet of this Court that attorneys in this District be governed at all times by a spirit of cooperation, professionalism, and civility. For example, and without limiting the foregoing, it remains the Court's expectation that counsel . . . will work to eliminate disputes by reasonable agreement to the fullest extent permitted by the bounds of zealous representation and ethical practice.")

Copies to:

Honorable James I. Cohn
United States District Judge

All Counsel of Record