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13
14 **UNITED STATES DISTRICT COURT**
15 **FOR THE DISTRICT OF ARIZONA**

16 PRENDA LAW, INC.,

17 Plaintiff-Respondent,

18 v.

19 PAUL GODFREAD, ALAN COOPER,
20 and JOHN DOES 1-10

21 Defendant-Movant.

Case No. _____

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF MOTION OF
DEFENDANT-MOVANT JOHN DOE
“DIE TROLL DIE” TO QUASH THE
SUBPOENA TO WILD WEST
DOMAINS SEEKING IDENTITY
INFORMATION**

[Fed. R. Evid. 201]

1 Defendant-Movant John Doe, a.k.a “Die Troll Die” (“DTD”) hereby requests that
2 the Court take judicial notice of the documents identified herein. This request is made in
3 connection with DTD’s Motion to Quash the Subpoena to Wild West Domains Seeking
4 Identity Information and pursuant to Rule 201 of the Federal Rules of Evidence and the
5 authorities cited below.

6 On a motion to quash, a court may take judicial notice of matters of public record in
7 accordance with Federal Rule of Evidence 201 without converting the motion to a motion
8 for summary judgment. *See e.g., Lee v. City of Los Angeles*, 250 F.3d 668, 688-89 (9th Cir.
9 2001) (*citing Mack v. South Bay Beer Distributors, Inc.*, 798 F.2d 1279, 1282 (9th Cir.
10 1986)) (in the motion to dismiss context); *see also U.S. ex rel Robinson Rancheria Citizens*
11 *Council v. Borneo, Inc.*, 971 F.2d 244, 248 (9th Cir. 1992) (*citing St. Louis Baptist Temple,*
12 *Inc. v. FDIC*, 605 F.2d 1169 (10th Cir. 1979)) (“[W]e ‘may take notice of proceedings in
13 other courts, both within and without the federal judicial system, if those proceedings have
14 a direct relation to matters at issue.’”). Courts may take judicial notice of documents
15 outside of the complaint that are capable of accurate and ready determination by resort to
16 sources whose accuracy cannot reasonably be questioned. Fed. R. Evid. 201(d). Each of
17 the exhibits referenced below are matters of public record available on PACER.

18 **Request 1.** Declaration of Brett Gibbs, dated March 1, 2013, *Ingenuity 13 v. Does*,
19 C.D. Cal. No. 12-cv-8333, Dkt. No. 58.

20 **Request 2.** Declaration of Brett Gibbs, dated April 11, 2013, *Sunlust v. Nguyen*,
21 M.D. Fla. No. 8:12-cv-01685, Dkt. No. 49-1.

22 **Request 3.** Copyright Assignment Agreement, *AF Holdings v. Does*, C.D. Cal.
23 No. 5:12-cv-6636, Dkt. 1 (Exhibit B).

24 **Request 4.** Transcript of March 11, 2013 Sanctions Hearing, *Ingenuity 13 v. Does*,
25 C.D. Cal. No. 12-cv-8333, Dkt. No. 93.

26 **Request 5.** Transcript of April 2, 2013 Sanctions Hearing, *Ingenuity 13 v. Does*,
27 C.D. Cal. No. 2:12-cv-8333, Dkt. No. 103.

28

1 **Request 6.** Order Denying Motion for Leave to file Second Amended Complaint,
2 *AF Holdings v. Doe*, N.D. Cal. No. 12-cv-02049, Dkt. No. 45.

3 **Request 7.** Order to Show Cause re Sanctions, *Ingenuity 13 v. Does*, C.D. Cal.
4 No. 2:12-cv-8333, Dkt. No. 48.

5 **Request 8.** Deposition Transcript of Paul Hansmeier, *Ingenuity 13 v. Doe, supra*,
6 Dkt. No. 71.

7 **Request 9.** Motion for Sanctions, Exhibit K, *AF Holdings v. Patel*, No. 2:12-cv-
8 00262, Dkt. No. 16-11.

9 **Request 10.** Answer and Counterclaim, *AF Holdings v. Olivas*, D. Conn. No. 3:12-
10 cv-01401-JBA, Dkt. No. 10.

11 **Request 11.** Order Vacating Prior Early Discovery and to Show Cause, *Ingenuity*
12 *13 v. Does*, C.D. Cal. No. 2:12-cv-8333, Dkt. No. 28.

13 **Request 12.** Records of Prenda Law, *AF Holdings v. Does 1-135*, N.D. Cal. No.
14 5:11-cv-3336, Dkt. No. 43-1.

15 **Request 13.** Transcript of November 27, 2011 Hearing, *Sunlust v. Nguyen*, M.D.
16 Fla. No. 8:12-cv-01685, Dkt. No. 28.

17 DATED: April 16, 2013

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CERTIFICATE OF FILING AND SERVICE

Pursuant to the Case Management/Electronic Case Filing Administrative Policies and Procedures Manual (“CM/ECF Manual”) of the United States District Court for the District of Arizona, I hereby certify that on April 17, 2013, I electronically filed:

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION OF
DEFENDANT-MOVANT JOHN DOE “DIE TROLL DIE” TO QUASH THE
SUBPOENA TO WILD WEST DOMAINS SEEKING IDENTITY
INFORMATION**

with the U.S. District Court clerk’s office using the ECF system. Through electronic mail and first class U.S. Mail, I will send notification to the following counsel of record:

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