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KELI TORRE
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SUPERIOR COURT OF CA
COUNTY OF SANTA CLARA
Trang Vu
SECURITY

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SANTA CLARA

11 EAGLE BROADBAND, INC.,)
12 Plaintiff,)
13 vs.)
14 DOES 1 through 25, inclusive,)
15 Defendants.)

CASE NO. 1-05-CV-050179

[PROPOSED] ORDER GRANTING EX PARTE APPLICATION FOR LEAVE TO ISSUE SUBPOENAS

17 Based on the Ex Parte Application of Plaintiff Eagle Broadband, Inc. ("Plaintiff") and all
18 supporting papers, and good cause appearing,

19 IT IS HEREBY ORDERED that Plaintiff's request for discovery is granted and Plaintiff
20 is authorized to serve subpoenas, through use of commissions if necessary, on Yahoo! and as yet
21 unidentified Internet Service Provider that may lead to the identification of the proper
22 defendant(s) in this action. Specifically, Plaintiff is authorized to:

- 23 (a) Serve a subpoena on Yahoo!, Inc. requiring it to produce documents sufficient to
24 ascertain the identities and contact information for DOES 1 through 7;
- 25 (b) Serve a subpoena on the Internet Service Provider, the identity of which will be
26 revealed in Yahoo! documents, to produce documents sufficient to ascertain the identities and
27 contact information of DOES 1 through 7; and
- 28 (c) Serve a subpoena on Yahoo!, Inc. and the as yet unidentified Internet Service

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Provider requiring testimony concerning the identities and contact information of DOES 1 through 7.

Dated: October 25, 2005

By 
JUDGE OF THE SUPERIOR COURT

Hon Derek Woodhouse