

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SITE B, LLC, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 13 C 5292  
 )  
 DOES 1-40, )  
 )  
 Defendants. )

MEMORANDUM ORDER

This newly filed copyright infringement action has reached this Court's calendar via random assignment. Although this Court is contemporaneously issuing the type of initial memorandum order that it enters in every case newly assigned to its calendar, the gravamen of the Complaint here calls for something more.

There is some divergence of views among the judges on this District Court as to the appropriate scope of permissible joinder of defendants in a case such as this stemming from the BitTorrent protocol. In that regard the attention of plaintiff's counsel is called to this Court's opinion in Zambezia Film (PTY) Ltd. v. Does 1-33, Nos. 13 C 1323 and 13 C 1741, 2013 WL 1181587 (Mar. 20) and to the law review note cited there. And by sheer chance, earlier this week another visit from the fabled Prince of Serendip brought to this Court's attention another law review note, The Seedy Underbelly of Joinder and Reverse Class Actions: The Porn Industry's Crusade Against Digital Piracy and Its Interplay with Rule 11 Sanctions, 37 S.Ill. U. L.J. 419 (Winter

2013).

It is understood that no actual defendant is likely to be known to plaintiff's counsel when the initial status hearing date arrives. But it is anticipated that plaintiff's counsel will then be mindful of the considerations referred to in this memorandum order for purposes of planning the future proceedings in the case.



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Milton I. Shadur  
Senior United States District Judge

Date: July 25, 2013