

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**GREGORY D. EVANS, LIGATT
SECURITY INTERNATIONAL,
INC., and SPOOFEM.COM USA
INC.,**

Plaintiffs,

vs.

JOHN DOES 1-8,

Defendants.

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§ **CIVIL ACTION NO. 1:11-cv-00458-**
§ **WSD**
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**PLAINTIFFS’ MOTION TO
AMEND THE COURT’S EXPEDITED DISCOVERY ORDER**

Pursuant to Federal Rules of Civil Procedure 26 and 30, and other applicable law, Plaintiffs Gregory D. Evans (Mr. Evans), LIGATT Security International, Inc. (“LIGATT Security”), and Spooferem.com USA Inc. (“Spooferem”) (collectively “Plaintiffs”), hereby move the Court for leave to take limited third-party discovery prior to the opening of the discovery period in this case.

The purpose for this request is to accurately identify all of the John Doe Defendants in this action, and to obtain information necessary to prevent further

unlawful acts by Defendants. In support of this Motion, Plaintiffs show the Court as follows:

1.

On February 28, 2011, a hearing was held before this Court on Plaintiffs' Motion for a Temporary Restraining Order and Plaintiffs' Emergency Motion to Expedite Discovery and Request to Preserve Evidence. The Court issued a written order on both motions on March 1, 2011.

2.

As part of Plaintiffs' Motion for Temporary Restraining Order, Plaintiffs sought to have this Court order certain non/third parties — namely Twitter, Inc., 1&1 Internet Inc., GoDaddy.com, Inc., and Wildwest Domains Inc. (the "Third Parties") — provide information to Plaintiffs that would identify or assist in identifying the John Doe Defendants. The Court's March 1, 2011 Order did not include such an order.

3.

As set forth in Plaintiffs' Emergency Motion for Expedited Discovery, identifying the true identity of the John Doe Defendants in this matter is of utmost importance to Plaintiffs and expedited discovery is warranted in this matter. For some of the Defendants, if not all, identifying the true identities of the John Does

may be extremely difficult, if not impossible, without Plaintiffs taking third-party discovery. Moreover, the request made herein is not being sought for any purpose contrary to the Federal Rules of Civil Procedure or the Local Rules of this Court.

Accordingly, Plaintiffs request that this Court grant Plaintiffs limited expedited discovery to take limited discovery of the Third Parties consistent with this Motion, or confirm that such third-party discovery was contemplated by the Court's March 1, 2011 Order. For at least the reasons contained in Plaintiffs' Emergency Motion to Expedite Discovery and those contained herein, such relief is necessary and proper.

Respectfully submitted this 2nd of March, 2011.

s/ Job J. Milfort

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LR 7.1.D., NDGa CERTIFICATION

The undersigned counsel for Plaintiffs state and certify that the foregoing has been prepared with one of the font and point selections approved by the court in LR 5.1B.

/s/ Job J. Milfort
Job J. Milfort, Esq.
Georgia Bar No. 515915

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ORDER

This matter is before the Court on Plaintiff’s Motion to Amend the Court’s Expedite Discovery Order. Having reviewed Plaintiffs’ Motion, and being otherwise fully advised in the premises, it is hereby **ORDERED AND ADJUDGED** that, for good cause shown, the Motion is **GRANTED**.

Plaintiffs are permitted to take limited third-party discovery regarding the identities of the John Does contained in Plaintiffs’ Complaint in this matter. Specifically, Plaintiffs are permitted to take such third/non party discovery against

Twitter, Inc., 1&1 Internet Inc., GoDaddy.com, Inc., and Wildwest Domains Inc. (the “Third Parties”).

Any Third Party that receives a document subpoena under this Order, is ordered to respond to Plaintiffs’ written discovery requests within ten (10) days of service thereof.

SO ORDERED this ____ day of _____, 2011.

HON. WILLIAM S. DUFFEY, JR.
JUDGE, UNITED STATES DISTRICT
COURT