

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Action Case No. <u>1:12-cv-01200-ESH</u>
)	
v.)	
)	
SOHAIL ABRAHIMZADEH,)	
)	
Defendants.)	
_____)	

PLAINTIFF’S RESPONSE TO ORDER TO SHOW CAUSE (DE 8)

Plaintiff respectfully requests the Court not dismiss its Complaint. Plaintiff originally filed suit against Defendant Sohail Abrahamzadeh in Malibu Media v. John Does 1- 16, 1:12-cv-00235-RC-JMF (D.D.C. Feb. 10, 2012) as a John Doe Defendant because Defendant was known by his IP Address only. After receiving Defendant’s name and information, Plaintiff re-filed against him in the present action to include Plaintiff’s claims against Defendant for infringements of multiple movies created and owned by Plaintiff.

Because of a clerical error, Plaintiff did not voluntarily dismiss Defendant until after Plaintiff re-filed against him here. Defendant was not prejudiced by this error. At this point in time, the Honorable Magistrate Judge Facciola has not issued an order granting Plaintiff’s voluntary dismissal and dismissing Defendant from the previous case. Plaintiff is contemporaneously amending its complaint to include only the four infringements that were not included in the previous action filed against Defendant.

For the foregoing reasons, Plaintiff respectfully requests that the Court not dismiss this action.

Dated: August 3, 2012

Respectfully Submitted,

By: /s/ Jon A. Hoppe
Jon A. Hoppe, Esquire #438866
Counsel for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Jon A. Hoppe
Jon A. Hoppe, Esquire