

CLOSED

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:09-cv-02396-D**

Liberty Media Holdings LLC v. Hotfile.com et al
Assigned to: Chief Judge Sidney A Fitzwater
Cause: 17:101 Copyright Infringement

Date Filed: 12/16/2009
Date Terminated: 02/10/2010
Jury Demand: None
Nature of Suit: 820 Copyright
Jurisdiction: Federal Question

Plaintiff

Liberty Media Holdings LLC
a California Limited Liability Co

represented by **Marc J Randazza**
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V.

Defendant

Hotfile.com
a Foreign (Panama) Corporation

represented by **Charles L Babcock**
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ATTORNEY TO BE NOTICED
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Defendant

Anton Titov
a Foreign Individual

represented by **Charles L Babcock**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Amanda L Bush
(See above for address)
ATTORNEY TO BE NOTICED
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Defendant

Webazilla LLC
a Florida Limited Liability Company

Defendant

Webazilla BV
a Foreign (Dutch) Corporation

Defendant

Moniker Online Services
a Florida Limited Liability Company
TERMINATED: 02/09/2010

Defendant

Limelight Networks
an Arizona Corporation
TERMINATED: 02/09/2010

Defendant

John Doe
Numbers 1–500, Presently unknown
Defendants

Defendant

Paypal Inc
A California Corporation

Defendant

Dragos Badan
An Individual

Defendant

Vinicius Alves
An Individual

Defendant

Josef Davis S Prade
An Individual

Defendant

Robert Parell
An Individual

Defendant

Yunzhi Computer
A Corporation

Defendant

Shallalat Gen TR LLC
A Limited Liability Corporation

Defendant

Ashish Thakur
An Individual

Defendant

D N Satheesh
An Individual

Defendant

Keyana It Co Ltd
A Corporation

Defendant

Premium Issuer
A Corporation

Defendant

Muhama Khairul Ibrahim
An Individual

Defendant

Touch Diamond Limited
A Corporation

Defendant

Hotfile Premium
A Corporation

Defendant

Aydinlar Kirtasiye Office
A Corporation

Defendant

Ozgur
An Individual

Defendant

Tamer Cekici
An Individual

Defendant

Faith Okiten
An Individual

Date Filed	#	Docket Text
12/16/2009	<u>1</u>	COMPLAINT against John Doe, Hotfile.com, Anton Titov, Webazilla LLC, Webazilla BV, Moniker Online Services, Limelight Networks filed by Liberty Media Holdings LLC. (Filing fee \$350, receipt number 36888) (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2) (skt) Modified on 12/17/2009 (rrr). (Entered: 12/16/2009)

12/16/2009	<u>2</u>	EX PARTE APPLICATION for an Order Temporarily Sealing the File filed by Liberty Media Holdings LLC. (Attachments: # <u>1</u> Exhibits) (skt) (Entered: 12/16/2009)
12/16/2009	<u>3</u>	EX PARTE APPLICATION for a Temporary Restraining Order, An Order for Seizure By Audit, An Order for Expedited Discovery, and An Order to Show Cause Re: Preliminary Injunction filed by Liberty Media Holdings LLC. (Attachments: # <u>1</u> Exhibits) (skt) (Entered: 12/16/2009)
12/16/2009	<u>4</u>	Memorandum of Law in Support filed by Liberty Media Holdings LLC of Its <u>3</u> EX PARTE Application for a Temporary Restraining Order, An Order for Seizure By Audit, An Order for Expedited Discovery, and An Order to Show Cause Re: Preliminary Injunction. (skt) (Entered: 12/16/2009)
12/16/2009	<u>5</u>	Declaration of Marc J. Randazza Supporting Plaintiff's <u>3</u> EX PARTE Application for a Temporary Restraining Order, An Order for Seizure By Audit, An Order for Expedited Discovery, and An Order to Show Cause Re: Preliminary Injunction filed by Liberty Media Holdings LLC. (skt) (Entered: 12/16/2009)
12/16/2009	<u>6</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Liberty Media Holdings LLC. (skt) (Entered: 12/16/2009)
12/17/2009	<u>7</u>	ELECTRONIC ORDER granting <u>2</u> Motion temporarily sealing the file. (Ordered by Chief Judge Sidney A Fitzwater on 12/17/2009) (Chief Judge Sidney A Fitzwater) (Entered: 12/17/2009)
12/21/2009	<u>8</u>	ORDER denying <u>3</u> Motion for TRO; denying <u>3</u> Motion for Order of Seizure by Audit; granting <u>3</u> Motion for Discovery. (Ordered by Chief Judge Sidney A Fitzwater on 12/21/2009) (klm) (Entered: 12/21/2009)
12/21/2009	<u>9</u>	ORDER: Plaintiff is responsible for promptly serving a copy of this order on every party against whom injunctive relief is sought. (Ordered by Chief Judge Sidney A Fitzwater on 12/21/2009) (klm) (Entered: 12/21/2009)
01/06/2010	<u>10</u>	First Amended EX PARTE APPLICATION for a Temporary Restraining Order, an Order for Seizure by Audit, an Order for Expedited Discovery, and an Order to Show Cause re: Preliminary Injunction filed by Liberty Media Holdings LLC. (skt) (Entered: 01/06/2010)
01/06/2010	<u>11</u>	Memorandum of Law in Support filed by Liberty Media Holdings LLC re <u>10</u> First Amended EX PARTE APPLICATION for a Temporary Restraining Order, an Order for Seizure by Audit, an Order for Expedited Discovery, and an Order to Show Cause re: Preliminary Injunction. (skt) (Entered: 01/06/2010)
01/06/2010	<u>12</u>	SUPPLEMENTAL DECLARATION of Eric Gapp Supporting <u>10</u> First Amended EX PARTE APPLICATION for a Temporary Restraining Order, an Order for Seizure by Audit, an Order for Expedited Discovery, and an Order to Show Cause re: Preliminary Injunction filed by Liberty Media Holdings LLC. (skt) (Entered: 01/06/2010)
01/06/2010	<u>13</u>	Exhibits to <u>12</u> Supplemental Declaration of Eric Gapp by Plaintiff Liberty Media Holdings LLC. (skt) (Entered: 01/06/2010)
01/06/2010	<u>14</u>	SUPPLEMENTAL DECLARATION of Brian Dunlap Supporting <u>10</u> First Amended EX PARTE APPLICATION for a Temporary Restraining Order, an Order for Seizure by Audit, an Order for Expedited Discovery, and an Order to Show Cause re: Preliminary Injunction filed by Liberty Media Holdings LLC. (skt) (Entered: 01/06/2010)
01/06/2010	<u>15</u>	SUPPLEMENTAL DECLARATION of Marc Randazza <u>10</u> First Amended EX PARTE APPLICATION for a Temporary Restraining Order, an Order for Seizure by Audit, an Order for Expedited Discovery, and an Order to Show Cause re: Preliminary Injunction filed by Liberty Media Holdings LLC. (skt) (Entered: 01/06/2010)
01/06/2010	<u>16</u>	EXHIBITS to <u>11</u> Plaintiff's First Amended Memorandum of Law in Support filed by Liberty Media Holdings LLC re <u>10</u> First Amended EX PARTE APPLICATION for a Temporary Restraining Order, an Order for Seizure by Audit, an Order for Expedited Discovery, and an Order to Show Cause re: Preliminary Injunction.

		(Attachments: # <u>1</u> part 1, # <u>2</u> part 2, # <u>3</u> part 3) (skt) (Entered: 01/06/2010)
01/06/2010	<u>17</u>	AMENDED COMPLAINT against Paypal Inc, Dragos Badan, Vinicius Alves, Josef Davis S Prade, Robert Parell, Yunzhi Computer, Shallalat Gen TR LLC, Ashish Thakur, D N Satheesh, Keyana It Co Ltd, Premium Issuer, Muhama Khairul Ibrahim, Touch Diamond Limited, Hotfile Premium, Aydinlar Kirtasiye Office, Ozgur, Tamer Cekici, Faith Okiten, John Doe, Hotfile.com, Anton Titov, Webazilla LLC, Webazilla BV, Moniker Online Services, Limelight Networks filed by Liberty Media Holdings LLC. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Exhibits, # <u>3</u> Exhibits, # <u>4</u> Exhibits, # <u>5</u> Exhibits) (svc) (Entered: 01/07/2010)
01/13/2010		Receipt of payment for Order re: 18 Order on Motion for Miscellaneous Relief, Order on Motion for TRO. \$20,000.00; Receipt # 37492. (rrr) (Entered: 01/13/2010)
01/20/2010	<u>20</u>	ORDER re <u>10</u> the application of plaintiff Liberty Media Holdings, L.L.C. for a preliminary injunction. (Ordered by Chief Judge Sidney A Fitzwater on 1/20/2010) (klm) (Entered: 01/21/2010)
01/21/2010	<u>21</u>	Summons Issued as to Anton Titov. (mfw) (Entered: 01/21/2010)
01/27/2010	<u>23</u>	MOTION for Entry of Order of Contempt as to Defendants Hotfile.com and Anton Titov filed by Liberty Media Holdings LLC. (twd) (Entered: 01/27/2010)
01/27/2010	<u>24</u>	Memorandum in Support filed by Liberty Media Holdings LLC re <u>23</u> MOTION for Entry of Order of Contempt as to Defendants Hotfile.com and Anton Titov (twd) (Entered: 01/27/2010)
01/27/2010	<u>25</u>	Supplemental Declaration of Marc Randazza in support of <u>23</u> MOTION for Entry of Order of Contempt as to Defendants Hotfile.com and Anton Titov by Liberty Media Holdings LLC. (twd) (Entered: 01/27/2010)
01/27/2010	<u>26</u>	Supplemental Declaration of Eric Gapp in support of <u>23</u> MOTION for Entry of Order of Contempt as to Defendants Hotfile.com and Anton Titov by Liberty Media Holdings LLC. (twd) (Entered: 01/27/2010)
01/28/2010	<u>27</u>	Summons Issued as to Hotfile.com, Anton Titov, Webazilla LLC, Dragos Badan. (ISS-4) (axm) (Entered: 01/29/2010)
01/28/2010	<u>28</u>	Notice of Filing Corrected Supplemental Declaration of Marc Randazza in support of <u>23</u> MOTION for Entry of Order of Contempt as to Defendants Hotfile.com and Anton Titov by Liberty Media Holdings LLC. (axm) (Entered: 01/29/2010)
01/29/2010	<u>29</u>	Corrected Supplemental Declaration of Marc Randazza in support of <u>23</u> MOTION for Entry of Order of Contempt as to Defendants Hotfile.com and Anton Titov by Liberty Media Holdings LLC. (axm) (Entered: 01/29/2010)
02/02/2010	<u>32</u>	ORDER denying without prejudice <u>23</u> Motion for entry of order of contempt as to defendants Hotfile.com and Anton Titov. (See Order) (Ordered by Chief Judge Sidney A Fitzwater on 2/2/2010) (skt) (Entered: 02/02/2010)
02/02/2010	<u>33</u>	MOTION for Entry of Preliminary Injunction filed by Liberty Media Holdings LLC (svc) (Entered: 02/03/2010)
02/02/2010	<u>34</u>	Memorandum in Support filed by Liberty Media Holdings LLC re <u>33</u> MOTION for Entry of Preliminary Injunction. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (svc) (Entered: 02/03/2010)
02/04/2010	<u>35</u>	Order to Unseal Case. It is ordered that certain attachments filed in this case due to pornographic and/or vulgar content are to remain sealed from public access. Except for the attachments listed in this order, the entire file in this case is now unsealed. It is ordered that any party who hereafter files papers in this case that contain pornographic images and/or vulgar terminology must file the materials under seal as individual attachments. (Ordered by Chief Judge Sidney A Fitzwater on 2/4/2010) (jkm) (Entered: 02/04/2010)
02/04/2010	<u>36</u>	Motion to Dismiss or in the alternative Quash Service of the Complaint and Summons filed by Hotfile.com, Anton Titov. (mfw) Modified on 11/17/10 to unseal per instructions in Document 35 (order unsealing case). This document does

		not contain material required to be sealed. (gmg) (Entered: 02/04/2010)
02/04/2010	<u>37</u>	Brief in Support of Motion to Dismiss or in the alternative Quash Service of the Complaint and Summons filed by Hotfile.com, Anton Titov. (mfw) Modified on 11/17/10 to unseal per instructions in Document 35 (order unsealing case). This document does not contain material required to be sealed. (gmg) (Entered: 02/04/2010)
02/08/2010	<u>44</u>	Summons Reissued as to Hotfile.com, Anton Titov. (tln) (Entered: 02/08/2010)
02/08/2010	<u>45</u>	Order: Proposed Scheduling Order due by 3/10/2010. (see order) (Ordered by Chief Judge Sidney A Fitzwater on 2/8/2010) (tln) (Entered: 02/08/2010)
02/08/2010	<u>46</u>	REPLY filed by Liberty Media Holdings LLC re: <u>33</u> MOTION for Injunction (Randazza, Marc). Docket entry sealed to public due to graphic content pursuant to order unsealing case Doc. <u>35</u> . Modified on 2/9/2010 (jkm). (Entered: 02/08/2010)
02/09/2010	<u>47</u>	NOTICE OF FILING PLAINTIFF'S CORRECTED REPLY BRIEF filed by Liberty Media Holdings LLC re: <u>33</u> MOTION for Injunction (Attachments: # <u>1</u> Corrected Reply Brief to Opposition to Motion for Preliminary Injunction) (Randazza, Marc) (Entered: 02/09/2010)
02/09/2010	<u>49</u>	ORDER: The temporary restraining order granted on January 12, 2010 18 and extended by January 26, 2010 order 22 will be allowed to expire. The court will adjudicate Liberty's preliminary injunction application <u>33</u> as promptly as possible. Because defendants' February 4, 2010 motion to dismiss or, in the alternative, quash service of the complaint, and to dismiss for lack of personal jurisdiction <u>36</u> arguably presents issues relevant to the court's decision on the preliminary injunction application, the court orders that any response to the motion be filed no later than February 16, 2010, at 4:30 p.m. CST. Any reply must be filed no later than February 23, 2010, at 4:30 p.m. CST. Notwithstanding this briefing schedule, if the court determines at an earlier point that Liberty is or is not entitled to a preliminary injunction, it will not await the receipt of outstanding filings before issuing a ruling. (Ordered by Chief Judge Sidney A Fitzwater on 2/9/2010) (Chief Judge Sidney A Fitzwater) (Entered: 02/09/2010)
02/09/2010	<u>50</u>	Voluntary Dismissal of Moniker Online Services and Limelight Networks filed by Liberty Media Holdings LLC (Randazza, Marc) (Entered: 02/09/2010)
02/10/2010	<u>51</u>	MOTION to Dismiss <i>Action as to All Defendants without Prejudice</i> filed by Liberty Media Holdings LLC (Randazza, Marc) (Entered: 02/10/2010)
02/10/2010	<u>52</u>	NOTICE OF DISMISSAL of <i>Action as to All Defendants Without Prejudice</i> filed by Liberty Media Holdings LLC (Randazza, Marc) (Entered: 02/10/2010)
02/10/2010		***Civil Case Terminated per doc. 51 & 52. (tln) (Entered: 02/11/2010)
02/11/2010	<u>53</u>	MOTION for Release of Bond Obligation filed by Liberty Media Holdings LLC with Brief/Memorandum in Support. (Krupkin, Gary) (Entered: 02/11/2010)
02/22/2010	<u>54</u>	MOTION for Entry of an Order for Return of Bond filed by Liberty Media Holdings LLC. (tln) (Entered: 02/22/2010)
03/02/2010	<u>55</u>	MOTION Seal Exhibits and Order Containing Bank Account Information filed by Hotfile.com, Anton Titov (Bush, Amanda) (Entered: 03/02/2010)
03/02/2010	<u>56</u>	Brief/Memorandum in Support filed by Hotfile.com, Anton Titov re <u>55</u> MOTION Seal Exhibits and Order Containing Bank Account Information (Bush, Amanda) (Entered: 03/02/2010)
03/02/2010	<u>57</u>	Supplemental Document by Hotfile.com, Anton Titov as to <u>56</u> Brief/Memorandum in Support of Motion, <u>55</u> MOTION Seal Exhibits and Order Containing Bank Account Information. (Bush, Amanda) (Entered: 03/02/2010)
03/09/2010	<u>58</u>	ORDER granting <u>53</u> Motion for Release of Bond Obligation. It is ordered that the clerk of court return to Liberty the bond it posted in the amount of \$20,000.00, including any interest accrued thereon, by delivering it to Gary P. Krupkin, Esquire, Liberty's counsel of record, in accordance with the usual procedure. (Ordered by Chief Judge Sidney A Fitzwater on 3/9/2010) (Chief Judge Sidney A

		Fitzwater) (Entered: 03/09/2010)
03/26/2010	<u>59</u>	ORDER granting <u>55</u> Motion to Seal Exhibits and Order. (Ordered by Chief Judge Sidney A Fitzwater on 3/26/2010) (Chief Judge Sidney A Fitzwater) (Entered: 03/26/2010)