

FOR COURT USE ONLY Santa Clara Cour
 Filed 10/25/13 1:46 pm
 David H. Yamasaki
 Chief Executive Officer
 By: pmahan DTSCIV010096
 R#201300107375
 CK \$30.00
 TL \$30.00
 Case: 1-13-CV-255144

P. Mahan 

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Eric Feld (Florida Bar No. 92741), Greenspoon Marder, P.A. 200 East Broward Boulevard, Suite 1500 Fort Lauderdale, Florida 33301 TELEPHONE NO.: 954.491.1120 FAX NO. (Optional): 954.213.0135 E-MAIL ADDRESS (Optional): eric.feld@gmlaw.com ATTORNEY FOR (Name): Caribbean Cruise Line, Inc.	
Court for county in which discovery is to be conducted: Circuit Civil SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 1095 Homestead Road, Santa Clara, CA 95050 MAILING ADDRESS: 191 N. First Street CITY AND ZIP CODE: San Jose, California 95113 BRANCH NAME: Circuit Civil	
Court in which action is pending: Circuit Civil Name of Court: 17th Judicial Circuit, in and for Broward County, Florida STREET ADDRESS: 201 SE 6th Street MAILING ADDRESS: CITY, STATE, AND ZIP CODE: Fort Lauderdale, Florida 33301 COUNTRY: USA	
PLAINTIFF/PETITIONER: Caribbean Cruise Line, Inc. DEFENDANT/RESPONDENT: John Doe(s) 1-10	CALIFORNIA CASE NUMBER (if any assigned by court) 113 CV 255144
APPLICATION FOR DISCOVERY SUBPOENA IN ACTION PENDING OUTSIDE CALIFORNIA	CASE NUMBER (of action pending outside California): 12-16013 (21)

- Applicant (name): Caribbean Cruise Line, Inc. is (check one):
 Plaintiff Petitioner Defendant Respondent Other (specify):
 in the above action.
- Applicant requests that this court issue a subpoena for discovery under Code of Civil Procedure sections 2029.100 – 2029.900 to (name and address of deponent or person in control of property):
 Google Legal Investigations Support / Legal Dept., Re: youtube.com, 1875 Charleston Road, Mountainview, California 94043
- Attached is (check one): the original a true and correct copy of the document from the court in which the action is pending that requires the person in 2 to (check all that apply):
 - attend and give testimony at a deposition;
 - produce and permit inspection and copying of designated materials, information, or tangible things in the possession, custody, or control of the deponent;
 - permit the inspection of premises under the control of the deponent.
- Applicant submits with this application a proposed subpoena that includes terms identical to those in the document from the out-of-state court. (Code of Civil Procedure section 2029.300(d).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 24, 2013

ERIC FELD

(TYPE OR PRINT NAME)



(SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)

Note: This application must be accompanied by the fee specified in Government Code section 70626. A discovery subpoena must be personally served on the deponent in compliance with California law, including Code of Civil Procedure section 1985.

*** FILED: BROWARD COUNTY, FL HOWARD FORMAN, CLERK 10/23/2013 1:41:30 PM ***

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. 12-16013 (21)

CARIBBEAN CRUISE LINE, INC.,
a Florida corporation,

Plaintiff,

vs.

JOHN DOE(s) 1-10,

Defendants.

SUBPOENA FOR THE PRODUCTION OF DOCUMENTS
*(Mail In)*¹

To: Google Legal Investigations Support / Legal Dept.
Re: youtube.com
1875 Charleston Road
Mountainview, California 94043
Phone: 650-253-3425
Fax: 650-649-2939
Email: legal-support@google.com

YOU ARE HEREBY COMMANDED, pursuant to Fla. R. Civ. P. 1.410, to produce the documents listed in Exhibit "A" attached hereto at Greenspoon Marder, P.A., 200 East Broward Boulevard, Suite 1500, Fort Lauderdale, Florida 33301, on or before **November 12, 2013**. Alternatively, you may mail in the documents to the address above or provide them via e-mail to (eric.feld@gmlaw.com) in lieu of personally appearing. If you fail to appear or produce, you may be in contempt of Court.

¹ You may mail in the documents or provide them via e-mail (eric.feld@gmlaw.com).

In accordance with the Americans with Disabilities Act of 1990, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the undersigned attorney at 954-491-1120 at least seven (7) days prior to this proceeding, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

PLEASE NOTE: If the above-named deponent requires an interpreter, please notify the above attorney no later than seven (7) days prior to the proceedings at 954-491-1120.

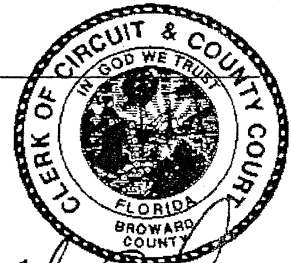
You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

OCT 24 2013

WITNESS my hand and the seal of said Court this _____ day of _____, 2013.

HOWARD C. FORMAN
As Clerk of said Court

By: _____
Deputy Clerk



Howard C. Forman
HOWARD C. FORMAN

Eric Feld, Esq.
Florida Bar No. 92741
Email: eric.feld.@gmlaw.com
GREENSPOON MARDER, P.A.
200 East Broward Boulevard, Suite 1500
Fort Lauderdale, Florida 33301
954.491.1120 (Telephone)
Attorneys for Plaintiff, Caribbean Cruise Line, Inc.

EXHIBIT "A"

Plaintiff requests that you produce all records described in this subpoena. In addition, to preserve the evidence, you should construe all instances of the words "produce" or "provide" to mean "preserve."

This information is directly relevant to identifying the individual(s) responsible for libelous or harassing statements, and related to the above-captioned case.

The information should be readily accessible to you by computer search, and accessing it should not prove to be unduly burdensome.

Due to the proprietary nature of your records and the absence of publically available information we are unable to positively identify the account holders through any other means. It is impossible for Plaintiff to identify the alleged offenders without your assistance in this matter.

Furthermore, due to the perishable nature of the originating IP address logs held by the Internet Service Provider/s utilized by your service, with retention often being only six months, we respectfully request that you make every effort to expedite this request to avoid the perishing or deletion of extremely important IP address log evidence held by the yet to be identified originating ISP.

OBJECTIONS

In the interests of expedience, and if for any reason you reasonably object to any specific request(s), then Plaintiff asks that you simply preserve the records for which you object and provide all other requested information. If we determine that the information you withheld is not important in light of the information you do produce, then we will likely seek a motion to compel for the withheld information.

THIS IS NOT A REQUEST FOR THE CONTENTS OF ANY EMAIL MESSAGES or other communications sent to or from the user/s described herein and protected by relevant laws, if you construe any requests herein to be protected by applicable laws, we request that you ignore only those specific requests and provide whatever information you are able at this time, preserve what you cannot or will not produce, and kindly advise the basis for the information you have withheld.

UNIQUE IDENTIFIERS, USER NAMES, OR SUBSCRIBER ACCOUNT IDs

The information sought for preservation and or productions is in relation to the following user of and/or subscriber to your products and services (hereinafter called "User") who was responsible for the postings made under the following accounts:

1. Username "Prank Hill" -
<http://www.youtube.com/channel/UCnRjKKpz5EdzZX5683SI9oQ>
2. Username "Billybob James" -
<http://www.youtube.com/user/TheMulticamfan?feature=watch>
3. Username "Billbob JamesALT" -
http://www.youtube.com/channel/UCHGFiE_QzSHvvki1AQWPdCw
4. Username "George Walker Bush" -
<http://www.youtube.com/channel/UCBAwe4qG4sUXOc01pD1UfIQ>
5. Username "Fred Herbert The Pranker" -
<http://www.youtube.com/user/TheJustCause3/>
6. Username "Willard Wolfcake" -
<http://www.youtube.com/channel/UCFhtUVjA9cfnAzivVIMzvqg>
7. Username "Zamot83" –
<http://www.youtube.com/user/Zamot83>
8. Username "kaptaintrips" –
<http://www.youtube.com/user/kaptaintrips>
9. Username "Wilford Brimley" –
<http://www.youtube.com/user/wilfordbrimleypranks>

10. Username "Wilford BrimleyALT" -
http://www.youtube.com/channel/UC_ZUQ9Oj0VQbvZAaoO-eGIA

11. Username "Madam Voorhees" -
<http://www.youtube.com/user/JayTG08?feature=watch>

12. Username "Sam Lodras" -
<http://www.youtube.com/user/uslawyerdirectory>

13. Username "Lavar Stevens" -
<http://www.youtube.com/user/Jared4SnlJackson>

14. Username "Chris Ryan" -
<http://www.youtube.com/channel/UCpCU8o9JZy5IcYsMw71Gvcg>

15. Username "rawpranks" - \
<http://www.youtube.com/user/rawpranks>

16. Username "Mistah Stevens"
<http://www.youtube.com/channel/UCQymU0ieygiaNmkKCHuK7rA>

YOUTUBE ACCOUNT INFORMATION REQUESTS

Please produce the following for each account:

1. The first and last names given when establishing the YouTube account.
2. All of the user's alternate email addresses if applicable.
3. All physical and postal address information for the user.
4. All other contact information including but not limited to telephone numbers, fax numbers, etc.
5. The cellular phone number used to verify the account by way of SMS text message if applicable.
6. The details of any other method, or medium used in the process of verifying the user's identity or details.
7. Any additional information that may assist in identifying the blog or ISP email subscriber.
8. The connection logs information for the above-mentioned email service.
9. Any connections to the email account including the connection from which the account was first established.

10. The date, time and time zone for each connection or login to the email service by the subscriber.
11. The date, time and time one for each disconnection or logoff for each connection/session.
12. The originating IP address for each connection/session.
13. If available, provide the agent details for each access including browser and version, operating system and version, and any other logged information for each connection/session.
14. If available, provide Media Access Control address (MAC address) for each connection/session.
15. If user has any secondary email accounts or any other interactive or other services with you including but not limited blogs, VoIP, photo albums, please provide all related identifying information and IP log details.

OTHER GOOGLE SERVICES

If applicable, provide all identifying and log information as requested for the products/services described above for any of the following services in use by the user:

- 1) Gmail
- 2) Blogger
- 3) Calendar
- 4) Docs
- 5) Groups
- 6) Knol
- 7) Orkut
- 8) Picasa
- 9) Reader
- 10) Sites
- 11) SketchUp
- 12) Blogspot
- 13) Talk
- 14) Translate
- 15) Any other products or services.

OTHER USER INFORMATION

All personal user information entered including but not limited to:

- Gender
- Date of birth
- Schools, clubs, associations, alumni
- Profession
- Graduation dates
- Qualifications
- Hobbies
- Employer
- Salary range
- Marital status
- URL links
- Any other information provided by the user.

If this request is descriptively deficient in any way, we ask that you use your best judgment to discern the intent of the subpoena and preserve what we have requested and any additional information that will help us identify the individual that utilized or accessed the services described above. Furthermore, if you require any clarifying language in the request we would ask that you contact us at your earliest convenience.