1 Reza Ganjavi in Pro Se 2 2331 Westwood Boulevard #152 Los Angeles, CA 90064-2109 3 case@rezamusic.com 4 5 6 7 UNITED STATES DISTRICT COURT 8 CENTRAL DISTRICT OF CALIFORNIA 9 10 Case Number: REZA GANJAVI, 11 CV05- 8619 DDP (JWJx) Plaintiff, 12 v. 13 REQUEST FOR GRANT OF ORDER TO DOES 1 through 10, Douglas ONLINE SERVICE PROVIDERS TO 14 Carlson, William Jennings, Todd ) RELEASE DEFENDANTS' BASIC Tipton, IDENTIFICATION. 15 16 Defendants. 17 18 COMES NOW, Plaintiff, REZA GANJAVI, and prays to this Honorable Court to 19 order the DOE Defendants' online service providers to release their basic 20 identification, i.e., name, address, and phone number, pursuant to 47 21 U.S.C. § 551, so that they can be summoned. 22 NOTE: This revised request 23 a) Removes the requirement for Ex Parte status and the associated sentences 24 in the proposed Orders which instructed the recipients to release the 25 information without pre-notifying their client. 26 b) Adds Deloitte as a recipient party of an Order as per conversation with 27 Deloitte's council (described below). Deloitte is not a defendant in the 28

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case but their network was used to commit abuses. They have indicated to Plaintiff that they will act upon such Court Order.

c) Most ISP's have indicated a 10-day notice period is sufficient. The Orders proposed herein calls for a 15-day turnaround which should be sufficient duration for notifying the subscribers.

## INTRODUCTION

- 1. As alleged in the Complaint and demonstrated in Exhibit 5 (body of evidence filed under seal), Defendants have violated Plaintiff's rights, and allegedly broken eleven laws including four federal statutes. The identity of some of the DOE defendants is not known to the Plaintiff except for the "IP" and email address they used to commit the alleged violations.
- 2. Plaintiff contacted the online service providers at the time the violations occurred and asked that the electronic traces of the responsible parties' are preserved. Such preservation has occurred in a number of the cases for which an Order is presently requested.

## DISCUSSION

- Some online service providers apparently accept subpoenas for release client information and have already released defendant information to Plaintiff. Others require a Court Order. orders are attached to this request are for Time Warner, RCN, Deloitte, Nibble Information Systems (NNTPServer). Time Warner, RCN, and Deloitte have indicated that they will respond to a Court Order and have apparently identified the Defendants. As respective discussed in the original pleading and demonstrated in the evidence body (Exhibit 5), the violations committed by the defendants using these entities' network are serious and at the heart of the case.
- 4. Council for Deloitte has indicated that they will act upon the proposed Court Order. Plaintiff is requesting Deloitte to release the name

Plaintiff. Deloitte has apparently taken internal action against the defendant who is at the heart of the case because the same person apparently also used the RCN network to commit other serious violations.

of an employee who has been using their network to commit violations against

5. NNTPServer, has not indicated the need for Court Order vs. Subpoena but the violations committed using their service are severe enough and therefore finding the responsible party is important enough that Plaintiff requests a Court Order to them. The scope of violations using NNTPServer include around ten counts of fraudulent use of Plaintiff's identity (name, email, password, website URL), mocking Plaintiff's website, publishing highly obscene and lewd comments in the name of the Plaintiff including racial slur against Blacks and sympathizing for extreme acts of violence, all completely contrary to Plaintiff's philosophy and values which are rooted in compassion and respect for others' freedom.

## PRECEDENCE

6. Although "cyber law" is a relatively new field, there have already been several cases where courts, both at Federal and State level, have ordered online service providers to release customer details upon the courts' determination that the committed violations outweigh the defendants' implied First Amendment right to remain anonymous, that the release of such information is at the heart of the case, and that there is no other way to obtain the necessary information. Plaintiff hereby humbly declares that all these factors apply to the case at bar as described in the original Complaint and briefly in the preceding paragraphs.

Gratefully & Respectfully,

Reza Ganjavi