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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 ) **Case Number:**  
11 REZA GANJAVI, )  
12 ) CV05- 8619 DDP (JWJx)  
13 ) **Plaintiff,** )  
14 ) **MOTION TO ORDER ONLINE SERVICE**  
15 ) **PROVIDERS TO RELEASE DEFENDANTS'**  
16 ) **BASIC IDENTIFICATION.**  
17 ) **v.** )  
18 ) **DOES 1 through 10, Douglas** )  
19 ) **Carlson, William Jennings, Todd** ) **- Date: March 27, 2006**  
20 ) **Tipton,** ) **- Time: 10 a.m.**  
21 ) **- Before Honorable Judge Dean D.**  
22 ) **Pregerson**  
23 ) **Defendants.** )  
24 )

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25 Plaintiff, REZA GANJAVI, hereby prays to this Honorable Court to order the  
26 Defendants' online service providers to release their basic identification,  
27 i.e., name, address, and phone number, pursuant to 47 U.S.C. § 551.  
28

**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.

1 2. Plaintiff contacted the online service providers at the time the  
2 violations occurred and asked that the electronic traces of the responsible  
3 parties' are preserved. Such preservation has occurred in a number of the  
4 cases for which an Order is presently requested, e.g., RCN, Time Warner, and  
5 Deloitte.

6 3. The Defendants whose information is sought through the attached orders  
7 are at the heart of the case and there is no other way to obtain the  
8 requested information except by Court Orders.

9  
10 **DISCUSSION**

11 4. Some online service providers have accepted subpoenas for releasing  
12 client information to the Plaintiff. EVI has released contact information  
13 for Defendant Douglas Carlson; Yahoo has released the IP address of a DOE  
14 Defendant who turns out to be an RCN client whose violations include setting  
15 up a mock website; Email.com has released the owner of the email address:  
16 "seadrifter@email.com" who happens to be Defendant William Jennings. Other  
17 service providers require a Court Order.

18 5. Six orders attached to this request are for Time Warner, RCN,  
19 Deloitte, Nibble Information Systems (NNTPServer), GiganeWS and Data  
20 Foundry. Time Warner, RCN, and Deloitte have indicated that they will  
21 respond to a Court Order and have apparently identified the respective  
22 Defendants.

23 6. Plaintiff is requesting Deloitte to release the name of an employee or  
24 agent who used their network to commit violations against Plaintiff.  
25 Deloitte has apparently taken internal action against the Defendant who is  
26 at the heart of the case because the same person apparently also used the  
27 RCN network to commit other serious violations.

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

11 8. Data Foundry provides email service for Defendant William Jennings and  
12 is requested through the Order to release his contact information so that he  
13 can be summoned. Giganews provided service to a Doe defendant who  
14 fraudulently used the Plaintiff's identification on four counts.

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16 **PRECEDENCE**

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

26 Gratefully & Respectfully,

27  
28 Reza Ganjavi