

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

|                               |   |                        |
|-------------------------------|---|------------------------|
| <b>METRO-GOLDWYN-MAYER</b>    | ) |                        |
| <b>PICTURES INC., et al.,</b> | ) |                        |
|                               | ) |                        |
| <b>Plaintiffs,</b>            | ) | <b>CIVIL ACTION</b>    |
| <b>v.</b>                     | ) | <b>No. 05-2075-KHV</b> |
|                               | ) |                        |
| <b>DOES 1 – 8,</b>            | ) |                        |
|                               | ) |                        |
| <b>Defendants.</b>            | ) |                        |
| _____                         | ) |                        |

**ORDER**

On February 24, 2005, plaintiffs filed a civil complaint against eight “John Doe” defendants for copyright infringement under 17 U.S.C. §§ 101 *et seq.* See Doc. #1. On July 14, 2005, the Court ordered plaintiffs to show good cause in writing why service of the summons and complaint had not been made within 120 days from the filing of the complaint, and further show good cause in writing why plaintiffs’ claims should not be dismissed in their entirety without prejudice. This matter comes before the Court on plaintiffs’ response to the show cause order (Doc. #17) filed August 1, 2005.

In response to the show cause order, plaintiffs state that they have been working with Sprint and Earthlink, Inc. to ascertain the identity of each defendant. To date, Earthlink, Inc. has not produced the documents necessary to permit identification. Plaintiffs request an extension until October 14, 2005, to obtain service upon Does 1, 6, 7 and 8 once their true names are discovered. On August 1, 2005, plaintiffs filed a Notice of Voluntary Dismissal (Doc. #19) which dismissed Does 2, 3, 4 and 5 from the case.

On this record, the Court finds that plaintiffs have shown good cause why their claims should not be dismissed. Pursuant to Rule 4(m), Fed. R. Civ. P., the Court extends to **October 14, 2005** the time

for plaintiffs to serve the summons and complaint on Does 1, 6, 7 and 8.

**IT IS THEREFORE ORDERED** that the time for plaintiffs to serve the summons and complaint on defendants Does 1, 6, 7 and 8 is extended to **October 14, 2005**.

Dated this 9th day of August, 2005 at Kansas City, Kansas.

s/ Kathryn H. Vratil \_\_\_\_\_

Kathryn H. Vratil

United States District Judge