

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

POPLAR OAKS, INC.,)	
)	
Plaintiff,)	Civil Case No.: <u>15-cv-60281-WJZ</u>
)	
v.)	
)	
JOHN DOE subscriber assigned IP address)	
75.74.184.31,)	
)	
Defendant.)	
_____)	

**PLAINTIFF’S MEMORANDUM IN OPPOSITION
TO DEFENDANT’S MOTION TO QUASH [CM/ECF 11]**

Either Defendant’s Motion at CM/ECF 11 was filed in error or Defendant is attempting to get a second bite at the apple by re-filing the exact same Motion this Court previously denied. Defendant previously filed the exact same Motion on April 1, 2015. *See* CM/ECF 7. Plaintiff responded on April 24, 2015. *See* CM/ECF 8. On April 28, 2015, the Court denied Defendant’s Motion. *See* CM/ECF 10. Defendant’s re-filed identical Motion is improper and should be stricken. Alternatively, to the extent the Court declines to strike the Motion and addresses the merits of Defendant’s second Motion, Plaintiff hereby incorporates by reference the same arguments previously asserted in its Response at CM/ECF 8. For those same reasons, Defendant’s second Motion should again be denied.

DATED: May 26, 2015.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2015, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all registered counsel of record and interested parties through this system.

By: /s/ M. Keith Lipscomb