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9 Automattic Inc. and
10 Oliver Hotham

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 AUTOMATTIC INC. and
15 OLIVER HOTHAM,

16 Plaintiffs,

17 v.

18 NICK STEINER,

19 Defendant.

Case No. 4:13-cv-5413-PJH

**STATUS REPORT REGARDING SERVICE
OF REPORT AND RECOMMENDATION ON
DEFENDANT**

Ctrm: 3 – 3rd Floor
Judge: Honorable Phyllis J. Hamilton

1 On August 27, 2014, Magistrate Judge Spero issued a Report and Recommendation in the above-
2 captioned matter. Following issuance of that Report and Recommendation, this matter was transferred to
3 Your Honor's docket. On November 10, 2014, Automattic submitted a status report, stating that it had
4 begun the process of serving the report and recommendation on Defendant Nick Steiner. On February 9,
5 2015, this Court requested that Automattic file an updated status report no later than February 11, 2015.
6 Automattic now submits an updated status report regarding service.

7 On November 19, 2014, we received a letter from the English authorities stating that Nick
8 Steiner's address "does not appear to have been the individual's last known residential address and
9 accordingly the documents may not have been validly served under English Law." The address we
10 served is the one that Nick Steiner provided Automattic in his correspondence regarding his DMCA
11 takedown notice. We believe that service is likely to have been properly achieved, but we are
12 investigating further in an attempt to find a more current address for Mr. Steiner, so that any doubt can be
13 eliminated. We have engaged a private investigator in connection with that investigation, which is
14 ongoing. We will file a further status report within 90 days.

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16 Dated: February 10, 2015

DURIE TANGRI LLP

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18 By: /s/ Joseph C. Gratz
JOSEPH C. GRATZ

19 Attorney for Plaintiffs
20 Automattic Inc. and
21 Oliver Hotham
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