IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Alexandria Division

UNITED STATES OF AMERICA) Case No. 1:12CR	3
v.)	
KIM DOTCOM, et al.,)	
Defendants.))	

RESPONSE OF THE UNITED STATES TO NON-PARTY KYLE GOODWIN'S MOTION TO FILE BRIEF IN RESPONSE TO SUPPLEMENTAL BRIEF OF SPECIALLY APPEARING DEFENDANT AND INTERESTED PARTY MEGAUPLOAD LIMITED REGARDING RULE 41(G) HEARING

The United States, by and through its undersigned counsel, hereby responds to Non-Party Kyle Goodwin's Motion to File a Brief (Dkt. No. 161). The United States does not oppose the Court allowing Mr. Goodwin to file his Brief (Dkt. No. 162).

As the Court has already ordered the United States to respond to the Brief filed by specially-appearing Defendant Megaupload (Dkt. No. 153-2) no later than February 14, 2013, *see* Dkt. No. 156, the United States requests that it be allowed to respond to Mr. Goodwin's brief, to the extent necessary, in the same pleading. The United States has discussed the issue with counsel for Mr. Goodwin and Mr. Goodwin has no objection to the proposed response date.

The Court's Order also authorized Megaupload to respond to any government pleading fourteen days after the opposition is filed. The United States has no objection to Mr. Goodwin's reply, if any, being subject to the same schedule. The United States discussed the scheduling of Mr. Goodwin's reply

with counsel for Mr. Goodwin and Mr. Goodwin has no objection to being given fourteen days to reply.

A proposed Order is attached to this motion.

Respectfully submitted,

Neil H. MacBride United States Attorney

By: <u>/s/</u>

Andrew Peterson Jay V. Prabhu Assistant United States Attorneys

Lanny A. Breuer Assistant Attorney General U.S. Department of Justice Criminal Division

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of January, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF, which will then send a notification of such filing (NEF) to:

Christopher L. Harlow, Esq.
SNR Denton US LLP
Counsel for Carpathia Hosting, Inc.
1301 K Street NW, Suite 600, East Tower
Washington, DC 20005
Tele: (202) 408-6816
christopher.harlow@snrdenton.com

Julie Moore Carpenter, Esq.
Jenner & Block LLP
Counsel for Motion Picture Association of America
1099 New York Ave, NW, Suite 900
Washington, DC 20001-4412
Tele: (202) 639-6000
jcarpenter@jenner.com

William A. Burck, Esq.
Paul F. Brinkman, Esq.
Quinn Emanuel Urquhart & Sullivan LLP
Counsel for Quinn Emanuel Urquhart & Sullivan LLP
1299 Pennsylvania Avenue NW, Suite 825
Washington, DC 20004

Tele: (202) 538-8000 williamburck@quinnemanuel.com paulbrinkman@quinnemanuel.com

John S. Davis, Esq. Williams Mullen Counsel for Kyle Goodwin 200 South 10th Street, 16th Floor Richmond, VA 23219 Tele: (804) 420-6296 jsdavis@williamsmullen.com

Ira P. Rothken, Esq.
The Rothken Law Firm
Counsel for The Rothken Law Firm
3 Hamilton Landing, Suite 280
Novato, CA 94949
Tele: (415) 924-4250
ira@techfirm.net

/s/

Andrew Peterson
Assistant United States Attorney
Office of the United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tele: 703-299-3700

Tele: 703-299-3700 Fax: 703-299-3981

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA) Case No. 1:12CR3
v.)
KIM DOTCOM, et al.,)
Defendants.)
9	<u>ORDER</u>
It is hereby ORDERED that Kyle Goo	odwin's Motion for Leave to File a Brief (Dkt. No.
161) is granted. The United States may respon	ond to Mr. Goodwin's Brief no later than February
14, 2013. Kyle Goodwin may file a reply no	later than 14 days after the government files its
response.	
ENTERED this day of February, 2013.	
	Liam O'Grady
	United States District Judge

Alexandria, Virginia