

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
MALIBU MEDIA, LLC,	:	
	:	Case No. 1:14-cv-10155-KBF
Plaintiff,	:	
	:	Judge Forrest
vs.	:	
	:	
JOHN DOE subscriber assigned IP address	:	
108.30.247.86,	:	
	:	
Defendant.	:	
-----X	:	

**NOTICE OF PLAINTIFF’S INTENTION TO FILE MOTION FOR SANCTIONS DUE  
TO DEFENDANT’S PERJURY AND SPOILIATION OF EVIDENCE**

Please take notice that Plaintiff’s computer forensic examiner has discovered that Defendant used military grade computer wiping software to delete material evidence from his hard drive. The wiping software was used just three days prior to Defendant delivering his computer for imaging. The extent of the destruction of evidence is massive. Defendant has also committed material perjury in this case. As a result of the foregoing, Plaintiff will soon be moving for sanctions. Plaintiff’s expert is still working on Plaintiff’s expert report, but Plaintiff will serve same upon its completion.

Respectfully submitted,

By: /s/ Jacqueline M. James  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 14, 2015, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Jacqueline M. James