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Telephone: +1.424.653.5500  
4 Attorneys for Petitioner  
MVL Film Finance LLC  
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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 IN RE: DMCA SECTION 512(h)  
SUBPOENA TO REDDIT, INC.  
11

MISCELLANEOUS ACTION NO.

12 **MVL FILM FINANCE LLC'S**  
**REQUEST TO THE CLERK FOR**  
**ISSUANCE OF SUBPOENA,**  
13 **PURSUANT TO 17 U.S.C. §512(h), TO**  
**IDENTIFY ALLEGED INFRINGERS**  
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1 Petitioner MVL Film Finance LLC (“MVL”), through its undersigned  
2 counsel of record, hereby requests that the Clerk of this Court issue a subpoena on  
3 Reddit, Inc. (“Reddit”) to identify an alleged infringer or infringers, pursuant to the  
4 Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512(h) (the “DMCA  
5 Subpoena”). The proposed DMCA Subpoena is attached hereto as Exhibit A.

6 The DMCA Subpoena is directed to Reddit, the service provider of the  
7 online discussion board to which the infringing party posted content which  
8 infringes copyright rights held by MVL (the “Infringing Content”). (*See*  
9 Declaration of Matthew Slatoff (“Slatoff Decl.”), ¶ 2.)

10 MVL has satisfied the requirements for issuance of a subpoena pursuant to  
11 17 U.S.C. § 512(h), namely:

- 12 (1) MVL has submitted a copy of the notification required by 17 U.S.C. §  
13 512(c)(3)(A) as Exhibit 1 to the Slatoff Declaration, submitted  
14 concurrently herewith;
- 15 (2) MVL has submitted the proposed DMCA Subpoena concurrently  
16 herewith; and
- 17 (3) MVL has submitted a sworn declaration confirming that the purpose  
18 for which the DMCA Subpoena is sought is to obtain the identity of  
19 an alleged infringer or infringers, and that such information will only  
20 be used for the purpose of protecting MVL’s rights under Title 17  
21 U.S.C. § 512(h)(2).

22 Accordingly, in support of its request for a DMCA Subpoena, MVL submits  
23 and attaches:

- 24 ○ A copy of the notification described in 17 U.S.C. § 512(c)(3)(A)  
25 (*see* Slatoff Decl., Ex. 1);
- 26 ○ A proposed DMCA Subpoena directed to the service provider  
27 (Reddit) (Ex. A hereto); and

28

1           ○ A sworn declaration that the purpose for which the DMCA Subpoena  
2           is sought is proper under the DMCA. (*See* Slatoff Decl., ¶ 4.)

3           Because MVL has complied with the statutory requirements, MVL  
4 respectfully requests that the Clerk expeditiously issue and sign the proposed MVL  
5 Subpoena pursuant to 17 U.S.C. § 512(h)(4) and return it to undersigned counsel  
6 for service on the subpoena recipient.

7 Dated: March 10, 2023

Respectfully submitted,

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LATHAM & WATKINS LLP

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By /s/ Daniel Scott Schecter  
Daniel Scott Schecter  
Attorneys for Petitioner  
MVL Film Finance LLC

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# **Exhibit A**

UNITED STATES DISTRICT COURT

for the

Northern District of California

In re DMCA Section 512(h) Subpoena to Reddit, Inc.

Plaintiff

v.

Defendant

Civil Action No.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Reddit, Inc., 548 Market Street, #16093, San Francisco, CA 94104-5401

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: SEE ATTACHMENT A

Place: Latham & Watkins LLP 505 Montgomery Street, Suite 2000 San Francisco, California, 94111-6538	Date and Time:  03/24/2023 10:00 am
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**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 03/10/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) MVL Film Finance LLC, who issues or requests this subpoena, are: Daniel Scott Schecter, Latham & Watkins LLP, 10250 Constellation Blvd. Suite 1100, Los Angeles, CA 90067, daniel.schecter@lw.com, 424-653-5577

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**ATTACHMENT A**  
**INFORMATION TO BE PRODUCED UNDER SUBPOENA TO REDDIT, INC.**

Information sufficient to identify the individual(s) alleged to be responsible for the unauthorized posting of the then-unreleased dialogue of the motion picture “*Ant-Man and the Wasp: Quantumania*” to the following Reddit location:

[https://www.reddit.com/r/MarvelStudiosSpoilers/comments/10hj44a/tftmq\\_antman\\_and\\_the\\_wasp\\_quantumania\\_detailed/](https://www.reddit.com/r/MarvelStudiosSpoilers/comments/10hj44a/tftmq_antman_and_the_wasp_quantumania_detailed/) (the “Reddit Site”), including:

1. All Identifying Information<sup>1</sup> for the user “u/MSSmods”.
2. All Identifying Information for any other user(s) responsible for posting, editing, and/or maintaining the content previously available on the Reddit Site (along with user “u/MSSmods,” the “Infringing Users”), including, without limitation, any moderator of the MarvelStudioSpoilers subreddit involved in uploading content on or about January 20, 2023 to the Reddit Site comprising and/or related to the dialogue of then-unreleased motion picture “*Ant-Man and the Wasp: Quantumania*” (the “Infringing Content”).
3. All Identifying Information for any user involved, between January 15, 2023 and February 15, 2023, in posting and/or editing the Infringing Content.

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<sup>1</sup> The term “Identifying Information” consists of: (a) any information provided when an Infringing User established their Reddit account, including the name(s), address(es), telephone number(s), email address(es); (b) any IP address(es) used by such user; and (c) account number(s).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_ *Server's signature*

\_\_\_\_\_ *Printed name and title*

\_\_\_\_\_ *Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



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Attorney for Petitioner  
4 MVL Film Finance LLC  
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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10

11 IN RE: DMCA SECTION 512(h)  
SUBPOENA TO REDDIT, INC.

Miscellaneous Action No.

**DECLARATION OF MATTHEW  
SLATOFF IN SUPPORT OF  
ISSUANCE OF SUBPOENA  
PURSUANT TO 17 U.S.C. § 512(h)**

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20 I, Matthew Slatoff, the undersigned, declare that:

21 1. I am the Vice President, Global Security & Content Protection at  
22 Marvel Studios, LLC, which is an affiliate of (with the same parent as) MVL Film  
23 Finance LLC (“MVL”). As part of my duties, I am responsible for monitoring and  
24 addressing infringement of copyright rights owned by MVL and its affiliated  
25 companies.

26 2. I am authorized to act on MVL’s behalf. I submit this declaration in  
27 support of MVL’s request for issuance to Reddit, Inc. (“Reddit”) of a subpoena,  
28 pursuant to the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512(h)

Case No.

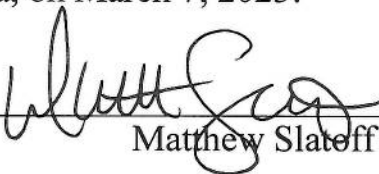
1 (the “DMCA Subpoena”), to identify an alleged infringer (or infringers) who posted  
2 content which infringes copyright rights held by MVL in *Ant-Man and the Wasp:*  
3 *Quantumania* (the “Infringing Content”) on systems operated by Reddit without  
4 MVL’s authorization. I have personal knowledge of the facts contained herein and,  
5 if called upon to do so, I could and would testify competently thereto.

6 3. On January 21, 2023, Nilo Siqueira, Analyst, Digital Media Antipiracy  
7 at The Walt Disney Company (the parent of MVL), submitted on behalf of MVL a  
8 notification, via a webform provided by Reddit at [https://reddit.zendesk.com/hc/en-](https://reddit.zendesk.com/hc/en-us/requests/new?ticket_form_id=73465)  
9 [us/requests/new?ticket\\_form\\_id=73465](https://reddit.zendesk.com/hc/en-us/requests/new?ticket_form_id=73465), identifying the Infringing Content on  
10 Reddit’s systems and providing the information required by 17 U.S.C. §  
11 512(c)(3)(A). Attached hereto as Exhibit 1 is a confirmation email from Reddit  
12 ([support@reddit.zendesk.com](mailto:support@reddit.zendesk.com)) which sets forth the information submitted to Reddit.  
13 Mr. Siqueira received confirmations from Reddit on January 21, 2023 that Reddit  
14 had received the takedown notice. Attached hereto as Exhibit 2 is a true and correct  
15 copy of the confirmation of receipt received from Reddit. Mr. Siqueira was  
16 authorized to act on behalf of MVL in submitting this notification.

17 4. The purpose for which the DMCA Subpoena is sought is to obtain the  
18 identity of an alleged infringer (or infringers) and such information will only be  
19 used for the purpose of protecting MVL’s rights under title 17 U.S.C. §§ 100, *et seq.*

20 I declare under penalty of perjury under the laws of the United States of  
21 America that the foregoing is true and correct to the best of my knowledge,  
22 information or belief.

23 Executed at Burbank, California, on March 7, 2023.

24  
25   
26 Matthew Slatoff

# **Exhibit 1**

re: Ant-Man and the Wasp: Quantumania leak

Import Delete Archive Move Flag Read/Unread Pin Sync ...

**re: Ant-Man and the Wasp: Quantumania leak** ← ↶ ↷ →

**RS** **Reddit Support <support@reddit.zendesk.com>** Saturday, January 21, 2023 at 8:24 AM  
 To: Siqueira, Nilo

##- Please type your reply above this line -##

Thanks for your request. We will review it and follow up with you soon. Note that Reddit receives a large amount of requests, so please allow some time for a response from us and do not submit duplicate requests in the meantime. Doing so may delay the processing of your claim.

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For your reference, here is the information you provided in your request:

What do you need assistance with?  
 Copyright Infringement / DMCA

Your email address (required)  
[nilosiqueira@disney.com](mailto:nilosiqueira@disney.com)

Subject of inquiry (required)  
 Ant-Man and the Wasp: Quantumania leak

Details of inquiry (required)

Copyright owner's full name (required)  
 The Walt Disney Company

Requester's full name (if different from the copyright owner)  
 Nilo Siqueira

Street address (required)  
 3 Queen Caroline St, London W6 9PE

City (required)  
 London

State/Province (required)  
 London

Postal code (required)  
 W69PE

Reddit URL where the allegedly infringing content appears (required)  
[https://www.reddit.com/r/MarvelStudiosSpoilers/comments/10hj44a/tftmq\\_antman\\_and\\_the\\_wasp\\_quantumania\\_detailed/](https://www.reddit.com/r/MarvelStudiosSpoilers/comments/10hj44a/tftmq_antman_and_the_wasp_quantumania_detailed/)

Where does the allegedly infringing content appear on Reddit? (required)  
 In a Reddit post

If you selected "Other" in the previous question, please provide additional information about where the infringing content appears on Reddit (optional)

Describe your copyrighted work that you believe is infringed by this Reddit content (required)  
 Other - please provide additional information below

Check this box if your copyrighted work is a live broadcast of a sports event (optional)  
 NOTE: Abuse of this checkbox may result in a delay to the processing of your claim.  
 -

Additional information about your copyrighted work (optional)  
 Unreleased leaked script of the new Disney movie Ant-Man and the Wasp: Quantumania.

What is the title of your copyrighted work? (required)  
 Ant-Man and the Wasp: Quantumania

Required Statement: I state that I have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.  
 Yes

Required Statement: I state that the information in the notification is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.  
 Yes

Requester's electronic signature (required)  
 Nilo Siqueira

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Regards,  
 Reddit Legal Support

This email is a service from Reddit Support.

# **Exhibit 2**

[Reddit Support] Re: Your request sent to Reddit Support

Import Delete Archive Move Flag Read/Unread Pin Sync ...

[Reddit Support] Re: Your request sent to Reddit Support


Reddit Legal (Reddit Support) <support@reddit.zendesk.com> To: Siqueira, Nilo Saturday, January 21, 2023 at 1:16 PM

**This Message is From an External Sender**  
Caution: Do not click links or open attachments unless you recognize the sender and know the content is safe.

##- Please type your reply above this line -##

Your request (8874753) has been updated. To add additional comments, reply to this email.

---

 **Reddit Legal (Reddit Support)**  
Jan 21, 2023, 13:16 PST

Hello,

Thanks for your message.

Regarding the following content:  
[https://www.reddit.com/r/MarvelStudiosSpoilers/comments/10hj44a/tftmq\\_antman\\_and\\_the\\_wasp\\_quantumania\\_detailed](https://www.reddit.com/r/MarvelStudiosSpoilers/comments/10hj44a/tftmq_antman_and_the_wasp_quantumania_detailed)

After review of the allegedly infringing content and your description of your copyrighted work, we have queued the content for removal from Reddit. Please allow some time for the removal to take effect.

Kind regards,  
Reddit Legal

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This email is a service from Reddit Support.