

**INDEX TO EXHIBITS**

Exhibit A Proposed Order

ORIGINAL

RECEIVED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

DEC 08 2004

LETTERS TO THE CLERK, Clerk  
By: *[Signature]* Deputy Clerk

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

EARTHLINK, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:04-CV-3142 CAP
	)	
	)	
JOHN DOES 1-25 ("the Mortgage Lead	)	
Spammers"); and JOHN DOES 26-50	)	
("the Drug Spammers"),	)	
	)	
Defendants.	)	

**PROPOSED ORDER**

Plaintiff EarthLink has requested leave from this Court to conduct third-party discovery prior to the appearance of any Defendant in order to determine the identities of the John Doe defendants specified in EarthLink's Complaint.

Pursuant to Federal Rule of Civil Procedure 26 (f), this Court **GRANTS** the instant Motion and orders:

1. EarthLink may conduct such discovery for one hundred twenty (120) days from the entry of this Order; and
2. EarthLink shall file an Amended Complaint ("the Amended Complaint") within that time which names those John Doe defendants identified through this discovery process.

**IT IS SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Charles A. Pannell, Jr.  
Judge, United States District Court