

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES M. MURRELL III,

Plaintiff,

v.

PATRIOT FRONT, THOMAS ROUSSEAU,
AND JOHN DOES 1-99,

Defendants.

Civil No. 1:23-cv-11802

**PLAINTIFF'S EX PARTE (not under seal) MOTION FOR LEAVE TO SERVE EARLY
DISCOVERY**

Plaintiff Charles M. Murrell III respectfully moves the Court, *ex parte* (but not under seal) and pursuant to Rule 26(d) of the Federal Rules of Civil Procedure, for an order granting him leave to serve limited discovery in advance of a Rule 26(f) conference for the purpose of identifying the information necessary to initiate this litigation against yet-anonymous defendants and Patriot Front, an unincorporated association. Plaintiff is not requesting that this motion be filed under seal but that the Motion for Leave to Serve Early Discovery be decided without service on Defendants because he has been unable to serve them with the summon and complaint to-date. Specifically, Mr. Murrell seeks leave to serve (1) narrow targeted document subpoenas pursuant to Rule 45 on the Internet Service Providers who service Patriot Front's website and social media accounts and (2) narrow targeted document subpoenas pursuant to Rule 45 on eight individuals who have either publicly admitted to being members of or affiliated with Patriot Front or who have been identified by journalists as having been involved in Patriot Front's July 2, 2022 March in Boston, Massachusetts that is the subject of Mr. Murrell's suit.

In further support of this Motion, Mr. Murrell relies upon the accompanying Memorandum of Law. For the reasons stated therein, Mr. Murrell requests that the Court grant his Motion without service on Defendants and allow Mr. Murrell to seek limited discovery from third parties.

Dated: October 17, 2023

Respectfully Submitted,

CHARLES M. MURRELL III

By his attorneys,

/s/ Anthony Mirenda

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CERTIFICATE OF SERVICE

I hereby certify that on the 17th of October, 2023, a true and accurate copy of the foregoing was electronically filed using the CM/ECF system. To the extent necessary, and once Plaintiff has identified Defendants that can be served with the Summons and Complaint, Plaintiff will serve this Memorandum in accordance with this Court's ruling on the Motion.

/s/ Anthony Miranda

Anthony Miranda