

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EVONY, LLC and)	
REGAN MERCANTILE, LLC,)	
)	
Plaintiffs,)	
)	
v.)	2: 11-cv-00064
)	
PHILIP HOLLAND,)	
d/b/a XANDIUM STUDIOS,)	
d/b/a www.xandiumstudios.net,)	
a/k/a ZERO,)	
)	
Defendant.)	

ORDER OF COURT

By Memorandum Opinion and Order of Court entered on March 31, 2011 (Document No. 19), the Court granted Plaintiffs' motion for default judgment against Philip Holland d/b/a Xandium Studios, d/b/a www.xandiumstudios.net, a/k/a ZERO, and entered Judgment against Phillip Holland in the total amount of \$300,000.00 in statutory damages pursuant to 17 U.S.C. § 504(c), and also granted a Permanent Injunction against Philip Holland and his officers, employees, agents, subsidiaries, representatives, distributors, dealers, members, affiliates, and successors, active in concert or participation with him who receive actual notice of the Order by personal service or otherwise. The Court also directed Plaintiffs to file a Petition for Reasonable Attorney's Fees and Costs on or about April 15, 2011.

A final Judgment was entered by the Court contemporaneously with the filing of its Memorandum Opinion and Order and the court docket was marked closed. *See* Document No. 20.

On April 15, 2011, Plaintiffs filed a Notice Regarding Plaintiffs' Petition for Reasonable Attorney's Fees and Costs, and Request for Entry of Final Judgment (Document No. 21), in which Plaintiffs request the Court to enter a "final judgment" and award Plaintiffs damages in the amount of \$300,000, plus post-judgment interest, and a permanent injunction. Plaintiffs have also notified the Court that they voluntarily waive their right to submit a petition for attorneys' fees and costs.

By Text Order of April 18, 2011, Defendant Philip Holland was ordered to file a response to the Notice Regarding Plaintiffs' Petition for Reasonable Attorney's Fees and Costs, and Request for Entry of Final Judgment on or before April 29, 2011. As of the date of the entry of this Order, Philip Holland has not responded to the Notice Regarding Plaintiffs' Petition for Reasonable Attorney's Fees and Costs, and Request for Entry of Final Judgment.

AND NOW, this 3rd day of May, 2011, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

1. Plaintiffs have voluntarily waived their right to submit a Petition for an Award of Reasonable Counsel Fees and Costs.
2. All conditions of the Permanent Injunction previously imposed by the Memorandum Opinion and Order of Court entered March 31, 2011 remain in full force and effect.
3. As reflected in the March 31, 2011, Order of Court, Judgment has been entered against Philip Holland. Plaintiffs were awarded a total of \$300,000.00 in statutory damages.
4. Post-judgment interest at the rate of 0.22% compounded annually is hereby awarded to Plaintiffs pursuant to 28 U.S.C. § 1961.

5. The Judgment entered on March 31, 2011 in favor of Plaintiffs Evony, LLC and Regan Mercantile, LLC and against Philip Holland d/b/a Xandium Studios, d/b/a www.xandiumstudios.net, a/k/a ZERO (Judgment No. 20) remains in full force and effect.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

cc: Andrew T. O'Connor, Esquire
Email: aoconnor@eapdlaw.com

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Philip Holland
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(via United States Mail and
Certified Mail, Return Receipt Requested)