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8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA

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UNIVERSAL CITY STUDIOS
 PRODUCTIONS LLLP, a Delaware
 limited liability limited partnership;
 UNIVERSAL CITY STUDIOS LLLP, a
 Delaware limited liability limited
 partnership; DISNEY ENTERPRISES,
 INC., a Delaware corporation,

Plaintiffs,

v.

SSWAREZ.COM, a business entity of
 unknown form; VERONICA MOUNIE,
 an individual, d/b/a SSWAREZ.COM;
 ADAM SUMMERS, an individual, d/b/a
 SSWAREZ.COM; ROGER
 RINGUETTE, an individual, d/b/a
 SSWAREZ.COM, TRAVIS CLARK, an
 individual, d/b/a SSWAREZ.COM, and
 DOES 4 through 5, inclusive,

Defendants.

CASE NO. CV 08-8300 GAF (AGRx)

The Honorable Gary A. Feess

**~~PROPOSED~~ JUDGMENT
 PURSUANT TO ENTRY OF
 DEFAULT**

Date: October 19, 2009
 Time: 9:30 a.m.
 Ctrm: 740 (Roybal)

1 The Motion For Entry of Default Judgment Against Defendant Roger
2 Ringuette d/b/a SSwarez.com and Defendant Travis Clark d/b/a SSwarez.com (the
3 “Motion”) by Plaintiffs Universal City Studios Productions LLLP, Universal City
4 Studios LLLP, and Disney Enterprises, Inc. (collectively, “Plaintiffs”), came on
5 regularly for hearing before this Court on October 19, 2009.

6 The Court having considered Plaintiffs’ moving papers, including the
7 supporting declarations and exhibits thereto, the opposition papers of defendant
8 Roger Ringuette d/b/a SSwarez.com (“Ringuette”) and defendant Travis Clark
9 d/b/a SSwarez.com (“Clark”) (collectively, “Defendants”), including the
10 supporting declarations and exhibits thereto, the arguments of counsel, and all
11 other matters presented to the Court, and having found that entry of default
12 judgment against Defendants is appropriate, and therefore granting Plaintiffs’
13 Motion, hereby finds that:

14 1. This Court has jurisdiction over the parties to this action and over the
15 subject matter hereof pursuant to 17 U.S.C. §§ 101 *et seq.*, 28 U.S.C. § 1331, and 28
16 U.S.C. § 1338;

17 2. Service of process was properly made on Defendants, each of whom
18 were served personally with the First Amended Complaint;

19 3. Plaintiffs are the owners of United States copyrights or the exclusive
20 distribution and public performance rights in the works that are the subject of the
21 following copyright registrations: *Aladdin* (PA 583-905); *Beauty and the Beast* (PA
22 542-647); *College Road Trip* (PA1-597-791); *Desperate Housewives - Season 1,*
23 *Episodes 1-3* (PA1-218-630); *Enchanted* (PA1-595-126); *Lilo & Stitch* (PA1-082-
24 244); *Lost - Season 1, Episodes 1-3* (PA1-246-176); *Definitely, Maybe* (PA1-594-
25 772); *Hellboy II: The Golden Army* (PA1-608-473); *Incredible Hulk, The* (PA1-598-
26 628); *Leatherheads* (PA1-595-326); *Welcome Home Roscoe Jenkins* (PA1-593-188)
27 (“Plaintiffs’ Copyrighted Works”);
28

1 4. Defendants have engaged in contributory copyright infringement and
2 inducement of copyright infringement by creating, maintaining, and organizing an
3 index of links to infringing copies of Plaintiffs' Copyrighted Works on Defendants'
4 website (www.sswarez.com), which have been posted on third-party websites;

5 5. Defendants infringement of Plaintiffs' Copyrighted Works has been
6 knowing and willful;

7 6. Defendants likely will infringe the copyright in other works owned by
8 Plaintiffs unless enjoined by the Court from doing so;

9 7. Defendants' infringement of Plaintiffs' Copyrighted Works has caused
10 irreparable injury to Plaintiffs that cannot be fully compensated in an award of
11 damages and will continue to cause such injury unless Defendants are permanently
12 enjoined from engaging in such conduct in the future; and

13 8. The Court specifically finds that Plaintiffs are the prevailing party for
14 purposes of an award of reasonable attorneys' fees and costs under 17 U.S.C. § 505.

15
16 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

17 1. Defendants have engaged in contributory copyright infringement and
18 inducement of copyright infringement by creating, maintaining, and organizing an
19 index of links to infringing copies of Plaintiffs' works on Defendants' website
20 (www.sswarez.com), which have been posted on third-party websites.

21 2. Defendants and their officers, agents, servants, employees, attorneys,
22 successors, licensees, partners, and assigns, and all those acting directly or
23 indirectly in concert or participation with any of them, are permanently enjoined
24 from contributorily infringing by any means and/or inducing copyright
25 infringement by any means of the exclusive rights of Plaintiffs and their affiliates
26 under the Copyright Act, including, but not limited to, any of Plaintiffs' and
27 Plaintiffs' affiliates' rights in any of the copyrighted works listed in Exhibit A to
28 the First Amended Complaint.

1 3. Defendants and their officers, agents, servants, employees, successors,
2 licensees, partners, and assigns, and all those acting directly or indirectly in concert
3 or participation with any of them, are permanently enjoined from doing the
4 following:

5 (a) posting, organizing, selecting, searching for, identifying, collecting
6 and indexing links to copies of the works listed in Exhibit A to the First Amended
7 Complaint and other works of which the Plaintiffs are the owners of the copyrights
8 or to whom an interest in the copyright has been granted by license, from or at the
9 Internet website located at www.sswarez.com (“SSwarez”) (whether or not
10 SSwarez or the said acts occur in the United States or elsewhere) and providing or
11 enabling use or access to such links to persons located in the United States;

12 (b) from or at SSwarez (whether or not SSwarez is located in the United
13 States or elsewhere), authorizing, inducing, encouraging, aiding or abetting, or
14 materially contributing to the reproduction, distribution, public performance
15 (including the performance in public and the transmission of copies and
16 performances to the public), and public display, in the United States, of copies of
17 the works listed in Exhibit A to the First Amended Complaint and other works of
18 which the Plaintiffs are the owners of the copyrights or to whom an interest in the
19 copyright has been granted by license, that are available on third-party websites;

20 4. Defendants are ordered to pay statutory damages to Plaintiffs pursuant
21 to 17 U.S.C. § 504 in the sum of \$240,000.

22 5. Defendants are ordered to pay Plaintiffs’ attorneys’ fees pursuant to
23 17 U.S.C. § 505 and Local Rule 55-3 in the amount of ~~\$40,000.~~ \$31,500.00

24 6. Defendants are ordered to pay Plaintiffs’ costs pursuant to 17 U.S.C.
25 § 505 in the amount of \$9,184.74.

26 7. This Judgment shall be deemed to have been served upon Defendants
27 at the time of its execution by the Court.

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8. The Court finds there is no just reason for delay in entering this Judgment and, pursuant to Federal Rule of Civil Procedure 54(a), the Court directs immediate entry of this Judgment against Defendants.

9. The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Judgment.



Dated: October 16, 2009

The Hon. Gary A. Feess
United States District Judge

Submitted by:

MITCHELL SILBERBERG & KNUPP LLP
Robert H. Rotstein
Wade B. Gentz
Eric S. Boorstin

Dated: September 16, 2009

By: /s/ Eric S. Boorstin
Eric S. Boorstin
Attorneys for Plaintiffs