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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC.,)	1:11-cv-00680 LJO GSA
Plaintiff,)	
v.)	ORDER ADOPTING FINDINGS AND
ANTHONY PAOLILLI, et al.,)	RECOMMENDATIONS IN FULL
Defendants.)	(Documents 12 and 24)

Plaintiff J & J Sports Productions, Inc., filed its complaint for violations of the federal telecommunication statutes (47 U.S.C. §§ 553 & 605), a violation of California Business and Professions Code section 17200, *et seq.*, and conversion on March 9, 2011. (Doc. 1.) On August 17, 2011, the Clerk entered default against all defendants. (Docs. 9-11.) Thereafter, Plaintiff moved for default judgment on August 31, 2011. (Doc. 12.) A hearing was held on October 21, 2011, before the Honorable Gary S. Austin. Plaintiff’s counsel Thomas P. Riley, Jr., appeared via telephone. No appearance was made by or on behalf of Defendants.

The day before the scheduled hearing, a Notice of Bankruptcy was filed on behalf of Defendant Giulia Paolilli. (Doc. 19.) The Court ordered that Plaintiff provide supplemental briefing addressing how the Petition for Bankruptcy effected the Motion for Default Judgment.

1 On December 14, 2011, the Magistrate Judge issued Findings and Recommendations that
2 Plaintiff's application for default judgment be granted in part against all Defendants except for
3 Defendant Guilia Paolilli, and that judgment be entered against them in the amount of
4 \$46,620.00. The Findings and Recommendations contained notice that any objections were to be
5 filed within fifteen (15) days of service of the recommendation. (Doc. 24.) No objections have
6 been filed to date.

7 In accordance with the provisions of Title 28 of the United States Code section 636
8 (b)(1)(c), this Court has conducted a *de novo* review of the case. Having carefully reviewed the
9 entire file, the Court finds that the Findings and Recommendations are supported by the record
10 and proper analysis.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The Findings and Recommendations dated December 14, 2011, are ADOPTED
13 IN FULL (Doc. 24.);
- 14 2. Plaintiff's application for default judgment is GRANTED IN PART;
- 15 3. Judgment be entered in this action against Defendants Bonfiglios Inc., and
16 Anthony Paolilli individually and d/b/a B.B.'s Lounge and Oyster Bar & Grill
17 a/k/a Giulia Italian Restaurant. There is no reason to delay entry of judgment
18 against these Defendants given that default has been entered against all three
19 defendants including Ms. Poalilli;
- 20 4. Damages in the total amount of \$ 46,620.00 be awarded as follows:
 - 21 a. For the violation of 47 U.S.C. § 605(e)(3)(C)(i)(II), the sum of
22 \$ 10,000.00;
 - 23 b. For the violation of 47 U.S.C. § 605 (e)(3)(C)(ii), the sum of \$30,000.00;
24 and
 - 25 c. For the conversion of Plaintiff's property, the sum of \$ 6,200.00; and
- 26 5. Plaintiff shall file a status report no later than **February 29, 2012** outlining the
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1 status of the bankruptcy proceedings against the remaining Defendant Giulia
2 Paolilli, as well as its intentions regarding pursuing default judgment against her.

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7 IT IS SO ORDERED.

8 **Dated: January 9, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE