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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC,

Plaintiff,

No. C 12-02278 JSW

v.

CHRISTINE JESENA,

Defendant.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

This matter comes before the Court upon consideration of Magistrate Judge Nathanael M. Cousins's Report and Recommendation (the "Report"), in which he recommends that this Court grant the motion for default judgment filed by plaintiff J & J Sports Productions ("Plaintiff"), but reduce the amount of damages awarded. As required by Federal Rule of Civil Procedure 72(a), Plaintiff filed objections to the Report within fourteen days. However, Plaintiff's objections were not filed in compliance with Northern District Civil Local Rule 72-1.¹ Nevertheless, the Court has considered Plaintiff's objections.

Having considered the Report, Plaintiff's papers, including its objections, the relevant legal authority, and the record in this case, the Court finds the Report thorough and well-reasoned and adopts it in every respect. Accordingly, Plaintiff's motion for default judgment is

¹ Northern District Civil Local Rule 72-1 provides that "[a]ny objection filed pursuant to Fed. R. Civ. P. 72(a) and 28 U.S.C. § 636(b)(1)(A) must be made as a "Motion for Relief from Nondispositive Pretrial Order of Magistrate Judge." The motion must specifically identify the portion of the magistrate judge's order to which objection is made and the reasons and authority therefor. The motion may not exceed 5 pages (not counting declarations and exhibits), and must set forth specifically the portions of the Magistrate Judges findings, recommendation or report to which an objection is made, the action requested and the reasons supporting the motion and must be accompanied by a proposed order.

1 GRANTED. However, Plaintiff will not be awarded the full amount of damages it requested.
2 Plaintiff is HEREBY AWARDED \$4,200 in damages under 47 U.S.C. § 605(e)(3)(C)(i)(II),
3 \$1,000 in enhanced damages under 47 U.S.C. § 605(e)(3)(C)(ii), and \$4,200 in damages under
4 California Civil Code § 3336, for a total of \$9,400.

5 **IT IS SO ORDERED.**

6
7 Dated: February 8, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE