

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 14-cv-02100-CMA-MJW

JOE HAND PROMOTIONS INC.,

Plaintiff,

v.

ANDREW CLARK POARCH, and
LAZY LION, LLC,

Defendants.

ORDER OF JUDGMENT

This matter is before the Court on Plaintiff Joe Hand Productions, Inc.'s Motion for Default Judgment Against Defendant (Doc. # 16). Having reviewed the motion, and being fully advised in the premises, the Court finds that entry of default judgment in favor of Plaintiff is appropriate.

This action involves a claim for damages by Plaintiff against Defendant Andrew Clark Poarch for misappropriation of the closed circuit "UFC 174: Johnson v. Bagautinov" broadcast, scheduled for June 14, 2014, in violation of 47 U.S.C. § 605 and 47 U.S.C. § 553. (Doc. # 1.) Federal Rule of Civil Procedure 12(a)(1) requires a defendant to provide an answer within twenty-one (21) days of being served with a summons and complaint. Defendant Poarch was required to file an answer no later than September 2, 2014. Defendant Poarch failed to appear, answer, or otherwise

respond to the Summons and Complaint. Upon the failure of Defendant Poarch to timely file a responsive pleading, a Request for Entry of Default was filed against Defendant Poarch on September 10, 2014. (Doc. # 7.) On September 25, 2014, a Default was entered against Defendant Poarch. (Doc. # 12.) On February 25, 2015, Plaintiff voluntarily dismissed Defendant The Lazy Lion, LLC. (Doc. # 15.) On February 25, 2015, Plaintiff filed a Motion for Default Judgment as to Defendant Poarch. (Doc. # 16.)

47 U.S.C. § 605(e)(3)(C)(i)(II) authorizes a court to award a sum not less than \$1,000 or more than \$10,000, and 47 U.S.C. § 605(e)(3)(C)(ii) authorizes a court to award an amount of not more than \$100,000.

Accordingly, it is ORDERED that judgment is entered in favor of Plaintiff and against Defendant Andrew Clark Poarch in the amount of \$5,000.00 for statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C)(i)(II), because \$5,000 is a reasonable amount and Defendant Poarch's business, Lazy Lion, LLC, appears to be a profitable business. It is

FURTHER ORDERED that judgment is entered in favor of Plaintiff and against Defendant Andrew Clark Poarch in the amount \$20,000.00 for statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C)(ii), because it is a reasonable amount and Plaintiff broadcasted the willfully intercepted Ultimate Fighting Championship to all of its members at the Lazy Lion, LLC. It is

FURTHER ORDERED that Plaintiff is entitled to reasonable attorneys' fees and is, therefore, permitted to submit within fourteen days of the entry of judgment a motion

and supporting documentation for reasonable attorneys' fees. Such motion shall comply with the requirements set forth in Fed. R. Civ. P. 54(d)(2) and D.C.COLO.LCivR 54.3. It is

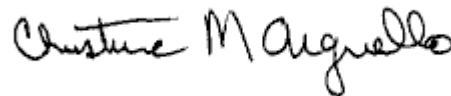
FURTHER ORDERED that Plaintiff shall have its costs by the filing of a Bill of Costs with the Clerk of the Court within ten days of the entry of judgment. It is

FURTHER ORDERED that post-judgment interest shall accrue at the weekly rate established under 28 U.S.C. § 1961 from the date of entry of judgment. Finally, it is

FURTHER ORDERED that this case is CLOSED IN ITS ENTIRETY.

DATED: February 27, 2015

BY THE COURT:

A handwritten signature in black ink, reading "Christine M. Arguello". The signature is written in a cursive, flowing style.

CHRISTINE M. ARGUELLO
United States District Judge