

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BROADCAST MUSIC, INC.,
et al,

Plaintiffs,

vs.

CASE NO. 8:11-cv-02056-EAK-TBM

EVIE'S TAVERN ELLENTON, INC.,
and MICHAEL EVANOFF,

Defendants.

ORDER ON MOTION FOR INJUNCTION

This cause is before the Court on Plaintiffs' renewed motion for permanent injunction (Doc. 61), and Defendants' Opposition thereto (Doc. 63). The Court has carefully reviewed the Motion, the Response, and the record in this case. The Court finds that Plaintiff is entitled to a permanent injunction. On September 30, 2013, the Court entered judgment in favor of Plaintiffs on five of six alleged copyright infringement claims. (Doc. 58). In its Order, the Court stated: "There is no question that the entry of a permanent injunction seems entirely appropriate in this case." The Court allowed the parties time to consult and try and agree on the outcome. There was no agreement, so the Plaintiff is before the Court with its renewed motion. The Court finds that the Plaintiff has adequately set out a basis for the entry of a permanent injunction in this case and addressed the four relevant factors. The response fails to persuade the Court that denial of permanent injunction is required in this case. Accordingly it is:

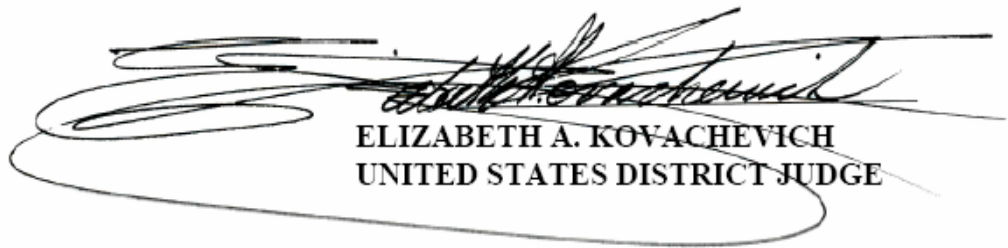
ORDERED that Plaintiffs' renewed motion for permanent injunction is **GRANTED**.

The injunction is as follows:

Evie's Tavern Ellenton, Inc. d/b/a Evie's Tavern Ellenton and Michael Evanoff, including their successors, related parties, subsidiaries, affiliate and entities in which Michael Evanoff has an interest or affiliation are hereby permanently enjoined from causing any unlicensed public performances of any musical works licensed by Broadcast Music, Inc.

The Clerk of Court shall enter the injunction and judgment in favor of the Plaintiffs and against the Defendants and shall close this cause of action.

DONE and **ORDERED** in Chambers, in Tampa, Florida this 17th day of December, 2013.



ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE