

**In the United States District Court  
for the Southern District of Georgia  
Waycross Division**

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

v.

RUPESH PATEL; OHSY, INC. D/B/A  
HUSH A/K/A PEACHES SPORTS BAR;  
and NGWEBIFOR FOBI

Defendant.


CV 5:17-066

**ORDER**

As the Supreme Court has recognized, data can be transmitted over the internet by many means. See Nat'l Cable & Telecommunications Ass'n v. Brand X Internet Servs., 545 U.S. 967, 975 (2005). Within seven days of the date of this Order, all parties are invited to submit briefs setting forth evidence from the record that shows the means by which the data containing the Program was transmitted to and from Defendant Fobi's computer. In addition, all parties are invited to detail as specifically and technically as possible how that evidence shows that Defendants did or did not violate 47 U.S.C. § 553, 47 U.S.C. § 605, or both. To be clear, the Court is searching the record for evidence (or the lack thereof) that the Program was received by Defendants over

a cable system within the meaning of § 553, that the Program was a radio communication received by Defendants within the meaning of § 605, or that the Program was an intercepted radio communication within the meaning of § 605.

**SO ORDERED**, this 16th day of October, 2018.

  
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HON. LISA GODBEY WOOD  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA