

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FAR OUT MUSIC, et al.,

Plaintiffs,

v.

RONNIE MANNING,

Defendant.

No. 08-0586-DRH

DEFAULT JUDGMENT

HERNDON, Chief Judge:

Now before the Court is a motion for Default Judgment against Manning (Doc. 13). On January 8, 2009, a Clerk's Entry of Default as to Defendant Ronnie Manning was entered (Doc. 11). After reviewing the memorandum and affidavits submitted by Plaintiffs in support of their request for relief, the Court hereby determines that Plaintiffs are entitled to Default Judgment and, accordingly, orders, adjudges and decrees that:

1. Defendant, and all persons acting under the direction, control, permission or authority of Defendant, are enjoined and restrained permanently from:

- (a) publicly performing any or all of the Plaintiffs' copyrighted musical compositions;
- (b) publicly performing any or all of the copyrighted musical compositions in the repertory of the American Society of Composers, Authors and Publishers (ASCAP);
- (c) causing or permitting Plaintiffs' or ASCAP members' copyrighted musical compositions to be publicly performed; and
- (d) aiding and abetting public

performances of Plaintiffs' or ASCAP members' copyrighted musical compositions. Defendant will not be in violation of the terms of this injunction if he previously obtains permission to perform such compositions, either directly from the copyright holders, or by license from ASCAP.

2. Defendant is ordered to pay Plaintiffs statutory damages in the amount of \$10,000.00.

3. Defendant is ordered to pay Plaintiffs their full costs incurred in this action, including reasonable attorneys' fees, in the total amount of \$12,485.07.

4. Defendant is ordered to pay Plaintiffs' interest on the total monetary award of \$22,485.07, from the date of entry of this judgment at the rate permitted by law, pursuant to 28 U.S.C. § 1961.

5. Defendant's acts of copyright infringement have been willful in nature, and thus, in the event that Defendant files a petition in bankruptcy, this Final Judgment Order shall constitute a non-dischargeable debt pursuant to 11 U.S.C. § 523(a)(6).

IT IS SO ORDERED.

Signed this 5th day of May, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**