

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

IVAN WARE & SON, INC.,

PLAINTIFF

v.

CIVIL ACTION NO. 3:10-CV-00484-CRS

DELTA ALIRAQ, INC.
AND
KAIS ALMARZOUK, et al.,

DEFENDANTS

ORDER

For the reasons set forth in the memorandum opinion entered this date and the Court having conducted a de novo review of those portions of the report and recommendation to which objections were made, the report and recommendation of the magistrate judge is **ACCEPTED** in full (DN 114). Plaintiff Ivan Ware & Son, Inc.'s motion for sanctions is **GRANTED IN PART AND DENIED IN PART** (DN 109).

IT IS HEREBY ORDERED AND ADJUDGED that the answers of Defendants David Weisman, Delta Alpha X-Ray LLC, and Davro LLC are stricken and default judgment is entered in favor of the plaintiff jointly and severally against said defendants on the issue of liability, with a determination as to the amount of damages owed to be reserved until the final disposition of the case.

IT IS FURTHER ORDERED that Ivan Ware & Son, Inc. is awarded \$2,500.00 in sanctions from Defendant Armando Dupont.

IT IS SO ORDERED.

January 26, 2017



**Charles R. Simpson III, Senior Judge
United States District Court**