

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

DISH NETWORK LLC, et al.

CIVIL ACTION

Plaintiffs

VERSUS

NO. 14-232

KENNETH SCOTT

SECTION "E"

Defendant

ORDER

Defendant Kenneth Scott has failed to appear at any stage of these proceedings. On April 21, 2014, the Clerk entered default against Defendant.¹ Now, the Court has pending before it Plaintiffs' motion for default judgment.² By defaulting, Defendant "admits the plaintiff's well-pleaded allegations of fact." *Nishimatsu Constr. Co. v. Houston Nat'l Bank*, 515 F.2d 1200, 1206 (5th Cir. 1975). Considering those admitted facts and the affidavits submitted by Plaintiffs in support of their motion for default judgment, the Court concludes that Plaintiffs have established their entitlement to a default judgment in their favor as to Count III of the Complaint.

For the reasons set forth in Plaintiffs' motion, and as numerous other courts have found under substantially similar circumstances, Defendant's conduct in circumventing Plaintiffs' security and encryption without authorization via an internet key sharing ("IKS") service to intercept satellite television violated 18 U.S.C. §§ 2511 and 2520. *See, e.g., DISH Network L.L.C. v. DeIVecchio*, 831 F. Supp. 2d 595, 599 (W.D.N.Y. 2011). And for the same reasons, the Court concludes that statutory damages in the amount of


¹ R. Doc. 14.

² R. Doc. 16.

\$10,000 and the requested injunction are warranted. *See id.*

Accordingly, Plaintiffs' motion for default judgment is **GRANTED**. A separate final judgment shall issue.

New Orleans, Louisiana, this 24th day of June, 2014



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE