

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOE HAND PROMOTIONS, INC.,)
)
Plaintiff,)
)
vs.)
)
BETH WILSON,)
)
Defendant.)


Case No. 4:12CV1730 CDP

MEMORANDUM AND ORDER

This matter is before me on plaintiff’s motion for default judgment. The Clerk of the Court entered default against defendant for failure to file an answer or other responsive pleading as required by Fed. R. Civ. P. 12 on December 12, 2012. Defendant now seeks statutory damages under 47 U.S.C. § 605(e)(3)(C)(i)(II) in the amount of \$10,000.00, and enhanced damages under 47 U.S.C. § 605(e)(3)(ii) in the amount of \$50,000.00. Having reviewed the motion and supporting materials, I find that plaintiff is entitled to the requested statutory damages of \$10,000.00, but that the amount of enhanced damages sought is excessive. Using my discretion, I will award \$10,000.00 in statutory damages, \$5,000.00 in enhanced statutory damages, and the full amount of the attorneys’ fees and costs sought in the amount of \$1,500.00.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for default judgment [#10] is granted in part only to the extent set out above, and is denied in all other respects. A separate Judgment in accordance with this Memorandum and Order is entered this same date.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 24th day of January, 2013.