

Case No.: 2:12-cv-00646

## STIPULATED JUDGMENT

VS.

Defendant

Plaintiffs, Thomas Bell and Liberty Media Holdings (Plaintiffs), and Defendant Robert Scott Bean a/k/a ILNY83 (Bean), both hereby consent and agree to this judgment to fully resolve all disputes between them in the above-referenced action. By consent, Plaintiff and Defendant agree to the following findings of fact, conclusions of law, and judgment.

This Court has jurisdiction of the subject matter of this action and over each of the parties involved.

1 **BACKGROUND**

2 1. Plaintiffs' claims in this action are for Intrusion Upon Seclusion and Copyright  
3 Infringement. Plaintiffs request Injunctive Relief arising from Defendant's intrusion upon  
4 Plaintiff Bell's private life.

5 2. Plaintiff Liberty Media Holdings, LLC (LMH) markets and distributes these  
6 original works of creative expression through various mediums including Internet web content,  
7 DVDs, and photographs of an erotic nature.

8 3. Defendant Bean used copies of LMH's copyrighted works to invade upon  
9 Plaintiff Bell's privacy.

10 4. Each of the audiovisual works at issue in this action is registered by the Plaintiff  
11 with the United States Copyright Office or has an application for registration pending.

12 5. Defendant Bean copied and distributed the Plaintiff's works.

13 6. Neither Plaintiff nor any other person granted Defendant Bean the authorization  
14 to distribute copies of the Plaintiff's copyrighted works.

15 **FIRST CAUSE OF ACTION**

16 **(Intrusion Upon Seclusion)**

17 7. Defendant Bean disclosed private facts about Bell and intruded upon his private  
18 life.

19 8. Bell suffered damages as a result of Bean's actions.

20 9. Plaintiff Bell is entitled to temporary, preliminary, and permanent injunctive relief  
21 to enjoin any further such acts on the part of the Defendant Bean.

22 **SECOND CAUSE OF ACTION**

23 **(Copyright Infringement 17 U.S.C. § 501)**

24 10. Defendant Bean copied LMH's copyrighted works without authorization.

25 11. LMH either registered the copyrights to each of these works or has submitted the  
26 works to the Copyright Office and has registrations pending. LMH and owns exclusive rights  
27 and privileges in and to the Copyrights.

28 12. Defendant Bean's conduct infringed upon LMH's Copyrights.

13. LMH was damaged by Defendant Bean's conduct, continues to be damaged by  
such conduct, and has no adequate remedy at law to compensate the Plaintiff for all of the  
possible damages stemming from the Defendant's conduct.

14. 17 U.S.C. § 504(c) establishes the right to elect to recover statutory damages in an amount of not less than \$750 and not more than \$150,000 for each infringement, in lieu of seeking recovery of actual damages.

15. The Parties have stipulated to damages in the amount of \$10,000 and attorney's fees of \$8,250 for 16.5 hours of time, which the parties stipulate is reasonable.

## JUDGMENT

1. It is therefore ORDERED, ADJUDGED, and DECREED that the Defendant is permanently enjoined from contacting Plaintiff Bell, directly or indirectly. Defendant is further enjoined from any future activities designed to intrude on Bell's private life. The Court shall retain jurisdiction for the limited purpose of enforcing this injunction.

2. It is therefore ORDERED, ADJUDGED, and DECREED that the Defendant is permanently enjoined from infringing, directly or indirectly, upon any copyrights or trademarks owned by Plaintiff Liberty Media Holdings. The Court shall retain jurisdiction for the limited purpose of enforcing this injunction.

3. It is further ORDERED, ADJUDGED, and DECREED that the Defendant be responsible for damages in the amount of \$10,000 and Plaintiffs' attorneys fees of \$8,250 for a total judgment of \$18,250.

4. This Court shall retain jurisdiction over this case for the purpose of issuing orders consistent with this judgment.

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3 SO ORDERED this 15 day of May, 2012.

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United States District Court Judge

8 FOR THE PLAINTIFFS:

9 Dated: April 24, 2012

10 Respectfully Submitted,

11 Marc J. Randazza  
12 Marc J. Randazza  
13 Randazza Legal Group  
14 6525 W. Warm Springs Road, Suite 100  
15 Las Vegas, NV 89118  
16 888-667-1113  
17 Fax: 305-437-7662

18 FOR THE DEFENDANT:

19 Dated: April 24, 2012

20 Respectfully Submitted,

21 Robert Scott Bean  
22 Robert Scott Bean  
23 1215 Raptor Drive  
24 Hanahan, SC 29410