

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 LHF Productions, Inc.,
5 Plaintiff
6 v.
7 Mathew Wilson,
8 Defendant

2:16-cv-02368-JAD-NJK
Order Rejecting Report and
Recommendation as Moot; and
Granting Entry of Default
[ECF Nos. 33, 43]

9
10 This is one of several essentially identical cases filed by plaintiff LHF
11 Productions, Inc., in which LHF sues many unidentified Doe defendants—under a
12 single filing fee—for separately infringing its copyright in the film “London Has
13 Fallen” by using BitTorrent software. LHF’s practice in these cases is to move for
14 expedited discovery to identify the defendants, and then systematically dismiss the
15 defendants after failing to serve them or settling with them.¹ Magistrate Judge
16 Nancy Koppe recommends that I sever and dismiss all claims against all defendants
17 other than defendant Mathew Wilson for improper joinder and in the interests of
18 judicial economy and case management.² LHF objected to the recommendation,
19 arguing that the defendants were properly joined under Federal Rule of Civil
20 Procedure 20(a)(2), and that mass joinder—“swarm joinder” as it is called in the
21 BitTorrent-defendant context—better serves the economic and efficiency interests of
22 the parties and the court.³

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25 ¹ See LHF Productions, Inc. v. Kabala, 2:16-cv-02028-JAD-NJK; LHF Productions,
26 Inc. v. Buenafe, 2:16-cv-01804-JAD-NJK; LHF Productions, Inc. v. Smith, 2:16-cv-
01803-JAD-NJK; LHF Productions, Inc. v. Boughton, 2:16-cv-01918-JAD-NJK.

27 ² ECF No. 33.

28 ³ I find these matters suitable for disposition without oral argument. L.R. 78-1.

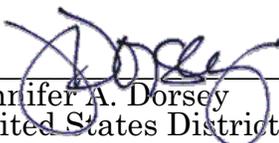
1 Two and a half months after objecting to the report and recommendation,
2 LHF voluntarily dismissed all claims against all remaining defendants except for
3 Mathew Wilson,⁴ so I overrule the objection and reject the report and
4 recommendation as moot. LHF also moves for entry of default against Wilson.⁵
5 Wilson was adequately served with process on March 2, 2017,⁶ and, seven months
6 later, he has still failed to appear or otherwise respond to the first-amended
7 complaint.⁷ Because Wilson has been completely absent from this action, I grant
8 LHF's motion and direct the Clerk of Court to enter default against Wilson.

9 Conclusion

10 Accordingly, IT IS HEREBY ORDERED that LHF's objection to Magistrate
11 Judge Koppe's report and recommendation is OVERRULED and Magistrate Judge
12 Koppe's report and recommendation [ECF No. 33] is REJECTED as moot.

13 The Clerk of Court is directed to ENTER DEFAULT against defendant
14 Mathew Wilson.

15 DATED: October 23, 2017.

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18 Jennifer A. Dorsey
19 United States District Judge
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25 ⁴ ECF Nos. 40, 42.

26 ⁵ ECF No. 43.

27 ⁶ ECF No. 14.

28 ⁷ See generally docket report case 2:16-cv-02368-JAD-NJK; see also ECF No. 43-1.