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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ME2 PRODUCTIONS, INC.,

Plaintiff(s),

v.

TONIKO HIGGINS, et al.,

Defendant(s).

Case No. 2:16-CV-2783 JCM (NJK)

ORDE

Presently before the court is Magistrate Judge Koppe’s report and recommendation following an order to show cause as to why the defendants should not be severed and all but the first-named defendant dismissed. (ECF No. 23). Plaintiff ME2 Productions, Inc., filed an objection. (ECF No. 45). Defendants have not filed a response, and the time to do so has since passed.

Also before the court is plaintiff’s motion for entry of clerk’s default against defendants John Robles, Valerie Arkuson, Thomas Walkers, Kisha Lyonssoenaire, Jalee Arnone, Gustavo Perez, Rafael Cerceda, Troy Simon, and Knicole Porter. (ECF No. 47).

Also before the court is plaintiff’s motion for entry of clerk’s default against defendants Toniko Higgins, Adrian Nelson, Raashan Toomey, Marc Pupo, Ricardo Paredes, Justino Diaz, Gena Richardson, Santerren Ward, and Ramon Luevano. (ECF No. 51).

The present case is one of many filed by plaintiff against numerous Doe defendants. Exhibit 1 to ME2’s objection contains its memorandum and points of authority to support its objections to the instant report and recommendation. (ECF No. 45-1). The exhibit is a carbon copy of plaintiff’s objections in the case of ME2 Productions, Inc. v. Bayu, case no. 2:17-cv-00724-JCM-NJK. The court issued an order in Bayu that adopted Magistrate Judge Koppe’s report and

James C. Mahan
U.S. District Judge

1 recommendation in that case and severed all but the first-named defendant. For the same reasons,
2 the court finds severance here is appropriate for all but the first-named defendant that is still a party
3 to the action.

4 Plaintiff's second motion for entry of clerk's default requests entries of default against
5 defendants Higgins, Nelson, Toomey, Pupo, Paredes, Diaz, Richardson, Ward, and Luevano.
6 (ECF No. 51). Plaintiff's claims against defendants Nelson, Toomey, Pupo, Paredes, Diaz,
7 Richardson, Ward, and Luevano will be severed from the instant action, and therefore the court
8 will deny plaintiff's motion as it relates to these defendants. However, the court will grant
9 plaintiff's motion as it relates to defendant Higgins. Plaintiff effectuated service on Higgins on
10 June 20, 2017, which gave Higgins until July 11, 2017 to answer plaintiff's complaint. (ECF No.
11 36). Higgins is yet to file a response. As the time for doing so has passed, the court will grant
12 plaintiff's motion for entry of clerk's default as to defendant Higgins.

13 Accordingly,

14 IT IS HEREBY ORDERED that Magistrate Judge Koppe's report and recommendation
15 (ECF No. 23) be, and the same hereby is, ADOPTED in part and REJECTED in part, consistent
16 with the foregoing.

17 IT IS FURTHER ORDERED that all defendants except for Toniko Higgins be, and the
18 same hereby are, dismissed without prejudice.

19 IT IS FURTHER ORDERED that plaintiff's motion for entry of clerk's default against
20 defendants Robles, Arkuson, Walkers, Lyonssoenaire, Arnone, Perez, Cerceda, Simon, and Porter
21 (ECF No. 47) be, and the same hereby is, DENIED as moot.

22 IT IS FURTHER ORDERED that plaintiff's motion for entry of clerk's default against
23 defendants Higgins, Nelson, Toomey, Pupo, Paredes, Diaz, Richardson, Ward, and Luevano (ECF
24 No. 51) be, and the same hereby is, GRANTED in part and DENIED in part, consistent with the
25 foregoing. The clerk shall enter default against defendant Higgins.

26 DATED November 15, 2017.

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UNITED STATES DISTRICT JUDGE