

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHRIS FALLOWS,

Plaintiff

— against —

VOS IZ NEIAS LLC, and DOES 1 through 10 inclusive,

Defendant.

22-CV-7964 (ARR) (LB)

Opinion & Order

**Not for electronic or print
publication**

ROSS, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated October 25, 2023, from the Honorable Lois Bloom, United States Magistrate Judge. No objections have been filed. The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also* *Brissett v. Manhattan & Bronx Surface Transit Operating Auth.*, No. 09-CV-874 (CBA)(LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011), *aff’d*, 472 F. App’x 73 (2d Cir. 2012) (summary order). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017) (quoting *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)). Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, a default judgment is entered against Vos Iz Neias in the amount of \$5,717.00 reflecting the following awards to plaintiff: \$5,000 in statutory damages under the Copyright Act and \$717.00 in costs. Plaintiff is also awarded post-judgment interest at the

statutory rate from the date judgment is entered until the date defendant satisfies the judgment. I also issue a permanent injunction prohibiting defendant from using plaintiff's shark photograph. Further, plaintiff's complaint against defendants "Does 1 through 10 inclusive" is dismissed without prejudice. Finally, I grant plaintiff's request to seek attorney's fees up to 14 days after the entry of judgment.

SO ORDERED.

/s/
Allyne R. Ross
United States District Judge

Dated: November 13, 2023
Brooklyn, New York