

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GS HOLISTIC, LLC, :
 :
 Plaintiff, : Case No. 1:23-cv-677
 :
 v. : Judge Walter H. Rice
 : Mag. Judge Michael R. Merz
 MR. VAPOR SMOKE SHOP, :
 INC., *et al.*, :
 :
 Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS OF MAGISTRATE JUDGE
(DOC. #20) AND OVERRULING WITHOUT PREJUDICE MOTION FOR DEFAULT
JUDGMENT OF PLAINTIFF GS HOLISTIC, LLC (DOC. #19)

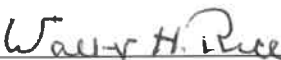
This case is before the Court on Plaintiff GS Holistic, LLC's Motion for Default Judgment. (Doc. #19). On August 7, 2024, the Magistrate Judge issued a Report and Recommendations recommending that the Motion be overruled, without prejudice to refiling "when supported by more persuasive evidence of what amount of statutory damages would be just." (Report, Doc. #20, PAGEID 108). Plaintiff was notified of its right to object under within fourteen days of the filing of the Report (*id.*), but did not do so, and the time for doing so has expired.

In light of the above, and the undersigned finding persuasive the Magistrate Judge's reasoning for why the Motion is unavailing, the Report is ADOPTED and Plaintiff's Motion for Default Judgment is OVERRULED WITHOUT PREJUDICE to

refiling to its renewal upon making the showing required by the Magistrate Judge.
(Doc. #20, PAGEID 108).

IT IS SO ORDERED.

September 23, 2024



WALTER H. RICE, JUDGE
UNITED STATES DISTRICT COURT