

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RIDING FILMS, INC.,

Plaintiff,

vs.

Civil Action 2:13-cv-46
Judge Marbley
Magistrate Judge King

JOHN DOES 129-193,

Defendants.

ORDER

On January 8, 2015, the United States Magistrate Judge recommended that *Plaintiffs' Motion for Default Judgment against Defendant James McLean*, ECF 59, be granted in part and denied in part. *Report and Recommendation*, ECF 77. It was specifically recommended (1) that defendant James McLean be permanently enjoined from directly or indirectly infringing plaintiff's copyrighted works, including by use of the internet to reproduce, copy, distribute, or make available for distribution to the public plaintiff's copyrighted works, unless plaintiff provides defendant with a license or express permission, (2) that defendant James McLean be ordered to destroy all copies of plaintiff's motion picture *Dawn Rider* that defendant James McLean has downloaded onto any computer hard drive or server without plaintiff's authorization and all copies that have been transferred onto any physical medium or device in defendant James McLean's possession, custody, or control, and (3) that plaintiff be awarded statutory damages as against defendant James McLean in the amount of \$6,000 and

attorneys' fees and costs in the total amount of \$1,964.57. *Id.*

Plaintiff was advised of its right to object to the recommendation and of the consequences of its failure to do so, but has nevertheless failed to file an objection.

The *Report and Recommendation*, ECF 77, is **ADOPTED AND AFFIRMED**. *Plaintiffs' Motion for Default Judgment against Defendant James McLean*, ECF 59, is **GRANTED in part** and **DENIED in part**.

Defendant James McLean is **PERMANENTLY ENJOINED** from directly or indirectly infringing plaintiff's copyrighted works, including by use of the internet to reproduce, copy, distribute, or make available for distribution to the public plaintiff's copyrighted works, unless plaintiff provides defendant with a license or express permission. Defendant James McLean is **ORDERED** to destroy all copies of plaintiff's motion picture *Dawn Rider* that defendant James McLean has downloaded onto any computer hard drive or server without plaintiff's authorization and all copies that have been transferred onto any physical medium or device in defendant James McLean possession, custody, or control. Plaintiff is **AWARDED** statutory damages as against defendant James McLean in the amount of \$6,000 and attorneys' fees and costs in the total amount of \$1,860.70.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge