

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Malibu Media, LLC,

Plaintiff,

v.

Case No. 2:14-cv-1136

**John Doe, subscriber assigned IP
Address 71.72.116.231, et al.,**

Judge Michael H. Watson

Defendants.

OPINION AND ORDER

After securing an entry of default, Malibu Media, LLC (“Plaintiff”) moved for default judgment against James Smith (“Defendant”) in this copyright infringement case. Upon a specific order of reference, ECF No. 13, Magistrate Judge King issued a report and recommendation (“R&R”), recommending the Court grant default judgment against Defendant and award Plaintiff a permanent injunction prohibiting Defendant from: (1) directly or indirectly infringing upon Plaintiff’s copyrighted works, including through the use of the internet to reproduce, copy, distribute, or make available for distribution to the public Plaintiff’s copyrighted works, unless Plaintiff provides a license or express permission, and (2) requiring Defendant to destroy all copies of Plaintiff’s motion pictures identified in Exhibit B to the Amended Complaint, ECF No. 5-2, that Defendant has downloaded onto any computer hard drive or server without Plaintiff’s permission and all copies that have been transferred onto any physical

medium or device in Defendant's possession, custody, or control. The R&R also recommends awarding Plaintiff statutory damages in the amount of \$12,000 and attorney's fees and costs in the amount of \$1,657. R&R 3, 9, ECF No. 22.

The R&R advised the parties of the right to file objections and noted that the failure to object would result in a waiver of the right to *de novo* review by the Undersigned as well as a waiver of the right to appeal the judgment of the District Court. *Id.* at 10. The deadline for filing objections has passed, and none were filed. Accordingly, the Court **ADOPTS** the R&R without conducting a *de novo* review. The Clerk shall enter default judgment against Defendant and award Plaintiff a permanent injunction, damages, and attorney's fees and costs, in accordance with the recommendation in the R&R.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Michael H. Watson". The signature is written in a cursive style with a horizontal line underneath the name.

**MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT**