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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

PPV ENTERTAINMENT, LLC.,

Plaintiff,

v.

LUIS RIVERA-DIAZ, et al.,

Defendants.

CASE NO. 14-1884 (GAG)

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ORDER ADOPTING REPORT AND RECOMMENDATION

On June 19, 2015, Magistrate Judge Silvia Carreño-Coll held a default damages hearing for the above-captioned case. (Docket No. 21) After careful consideration, the Magistrate Judge recommends the undersigned award Plaintiff the following damages: \$1250 for Defendant's violation of 47 U.S.C. § 60, pursuant to 47 U.S.C. § 605(e)(3)(C)(i); \$1,250 for Defendants' willful violation of section 605, pursuant to 47 U.S.C. § 605(e)(3)(C)(ii) —even though Judge Carreño cautioned that willful violation damages are not customary in this district— and lastly, \$2,000 for costs and fees under 47 U.S.C. § 605(e)(3)(B)(iii). (Docket No. 24.)

After reviewing Judge Carreño's Report and Recommendation at Docket No. 24 as to Plaintiff's default damages award, the undersigned **ADOPTS** Judge Carreño's recommendation as follows. Because Defendant is a small business, the undersigned finds that a reduced damage award is more reasonable and safeguards section 605's deterrent effect.

Civil No. 14-1884 (GAG)

1 First, the Court hereby awards Plaintiff \$250 for Defendants' violation of section 605,
2 under § 605(e)(3)(C)(i). At this juncture, the court, in the exercise of its discretion, will not
3 impose damages for Defendants' willful violation of section 605, as provided by §
4 605(e)(3)(C)(ii). Finally, \$2,000 are awarded to Plaintiff on costs and fees under §
5 605(e)(3)(B)(iii).

6 **SO ORDERED.**

7 In San Juan, Puerto Rico this 24th day of November, 2015.

8 *s/ Gustavo A. Gelpí*
9 GUSTAVO A. GELPI
United States District Judge

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