

United States District Court  
Southern District of Texas

**ENTERED**

December 08, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

APD TECH, LLC; ca APD SERVICES, LLC,	§	
<i>et al</i> ,	§	
	§	
Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. 4:16-CV-00895
	§	
EMERITUS EQUITY HOLDINGS, LLC, <i>et al</i> ,	§	
	§	
Defendants.	§	

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Pending in the above-referenced cause is Plaintiffs’ Motion for Default Judgment (Document No. 113), in which Plaintiffs seek a Default Judgment against Defendants Inovacor, LLC; Inovacor ICS, LLC; Wolf Creek Capital Management Co., LLC; Donald H. Kelly; Lynn E. Kelly; David Anchim; and John Sweeney. On November 9, 2017, the Magistrate Judge issued her Memorandum and Recommendation (“M&R”) recommending that Plaintiffs’ Motion be granted, and that a Default Judgment be entered against Defendants Inovacor, LLC; Inovacor ICS, LLC; Wolf Creek Capital Management Co., LLC; Donald H. Kelly; Lynn E. Kelly; David Anchim; and John Sweeney. Document No. 137. Defendants filed no objections to the Judge’s M&R, and upon review, the Court agrees with the Magistrate Judge’s conclusions. Accordingly, the Court hereby

**ORDERS** that the Memorandum and Recommendation (Document No. 137) is **ADOPTED**. Plaintiffs’ Motion for Default Judgment (Document No. 113) is **GRANTED** and **DEFAULT JUDGMENT** is entered against Defendants Inovacor, LLC; Inovacor ICS, LLC; Wolf Creek Capital Management Co., LLC; Donald H. Kelly; Lynn E. Kelly; David Anchim; and John Sweeney, jointly and severally, in the amount of \$15,000,000.00.

SIGNED at Houston, Texas, this 7th day of December, 2017.

A handwritten signature in black ink, appearing to read "Melinda Harmon", written over a horizontal line.

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE