

ENTERED

February 14, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Fathers & Daughters Nevada, LLC,

Plaintiff,

v.

Olla Giha,

Defendants.

§
§
§
§
§
§
§
§
§
§

Case No. 4:16-cv-01968

Jury

ORDER

Having considered Plaintiff Fathers & Daughters Nevada, LLC’s
MOTION FOR FINAL DEFAULT JUDGEMENT AGAINST DEFENDANT
OLLA GIHA, the Court hereby finds as follows:

1. The Plaintiff is Fathers & Daughters Nevada, LLC.
2. The Defendant is Olla Giha residing at 10007 Forest Spring Ln.,
Pearland, TX 77584.
3. The Court has jurisdiction over the subject matter of this case and of
the parties.
4. Venue is proper in this Judicial District.
5. The Amended Complaint states claims for copyright infringement
against Defendant. 17 U.S.C. § 101 *et seq.*

6. Defendant served summons and complaint November 29, 2016. [Doc. # 42].
7. Defendant's date to answer was extended to February 9, 2017 per Court Order. [Doc. #48]
8. Defendant has not filed an answer.
9. Defendant has defaulted.
10. Defendant is not a minor, incompetent person, or in active military service.
11. The Court enters default with respect to Defendant.
12. By reason of default, Defendant has admitted the truth of the allegations in Plaintiff's Amended Complaint.
13. Under Count I of the Amended Complaint, Defendant is found liable to Plaintiff for willfully committing direct copyright infringement.
14. Defendant will continue to cause Plaintiff irreparable injury since there exists a continuing threat of Plaintiff's exclusive rights under the Copyright laws, including the rights to reproduce, redistribute, perform and display the copyrighted movie *Fathers and Daughters* through Defendant's use of peer-to-peer or BitTorrent protocol to upload and

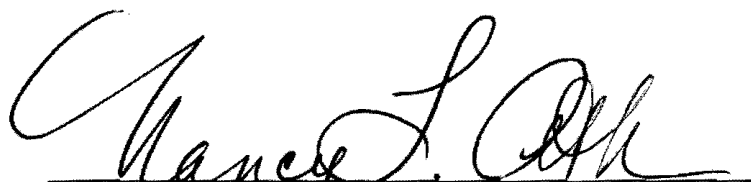
download *Fathers and Daughters* between and among peer users without Plaintiff's authorization.

15. Entry of a permanent injunction against Defendant is in the public interest as it preserves the integrity of copyright laws which encourage individual effort and creativity by granting valuable enforceable rights.
16. Pursuant to FED. R. CIV. P. 65(d), this Default Judgment shall be binding upon Defendant and all persons in active concert and participation with Defendant who receives actual notice of this Default Judgment.
17. Plaintiff has submitted a declaration demonstrating that Plaintiff has expended a total of \$888.46 in attorneys' fees and \$188.46 in costs with respect to Defendant, which amount this Court finds reasonable.
18. Accordingly, it is ORDERED and ADJUDGED that Defendant:
 - a. Shall pay Plaintiff the sum of \$15,000.00 in statutory damages, as authorized under 17 U.S.C. § 504(c)(1)–(2), and \$1,076.92 for attorneys' fees and costs, as authorized by 17 U.S.C. § 505, making a total of \$16,076.92;

- b. Shall pay to plaintiff post-judgment interest at the current legal rate allowed pursuant to 28 U.S.C. § 1961 from the date of this Default Judgment until the date of its satisfaction;
- c. Is permanently enjoined from directly, contributorily or indirectly infringing Plaintiff's rights in the motion picture *Fathers and Daughters*, except pursuant to a lawful license granted by Plaintiff or with Plaintiff's express authority.
- d. Is required to destroy all copies of the motion picture *Fathers and Daughters* which Defendant has downloaded onto any computer or electronic device without Plaintiff's authorization.

Furthermore, the Court shall retain jurisdiction over this action for a period of six months or until judgment is satisfied to entertain further proceedings and to enter further orders as may be required or appropriate to implement or enforce the provisions of this Default Judgment.

ORDERED, this 14th day of February, 2017.



NANCY F. ATLAS
SENIOR UNITED STATES DISTRICT JUDGE