

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

PREPARED FOOD PHOTOS, INC.,

Plaintiff,

v.

Case No. 6:23-cv-122-RBD-LHP

MYRTLE BEACH VIP PARTY BUS,  
LLC,

Defendant.

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**ORDER**

Before the Court is Plaintiff's Renewed Motion for Default Final Judgment. (Doc. 27 ("Motion").) On referral, U.S. Magistrate Judge Leslie Hoffman Price entered a Report and Recommendation stating that the Court should grant the Motion in part. (Doc. 30 ("R&R").) The parties did not object and the time has passed, so the Court examines the R&R for clear error only. *See Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is due to be adopted.

Accordingly, it is **ORDERED AND ADJUDGED:**

1. The R&R (Doc. 30) is **ADOPTED AND CONFIRMED** and made a part of this Order in its entirety.
2. Plaintiff's Motion (Doc. 27) is **GRANTED IN PART AND DENIED IN PART:**

a. The Motion is **GRANTED** in that that the Clerk is **DIRECTED** to enter default judgment in favor of Plaintiff and against Defendant in the following form:

i. Defendant Myrtle Beach VIP Party Bus, LLC and its employees, agents, officers, directors, attorneys, successors, affiliates, subsidiaries, vendors, and assigns, and all those in active concert and participation with Defendant, are **PERMANENTLY ENJOINED** from:

1. Directly or indirectly infringing Plaintiff Prepared Food Photos, Inc.'s copyright or continuing to market, offer, sell, dispose of, license, lease, transfer, publicly display, advertise, reproduce, develop, or manufacture any works derived or copied from Plaintiff's copyrighted photograph or to participate or assist in any such activity; and/or
2. Directly or indirectly reproducing, displaying, distributing, otherwise using, or retaining any copy, whether in physical or electronic form, of any copyrighted photograph owned by Plaintiff.

- ii. Plaintiff is **AWARDED** a total of \$23,976.00 in statutory damages for Defendant's violation of 17 U.S.C. § 501.
  - iii. Plaintiff is further **AWARDED** costs in the amount of \$467.00.
  - iv. Plaintiff is further **AWARDED** attorney's fees in the amount of \$2,430.00.
- b. In all other respects, the Motion is **DENIED**.
3. Plaintiff is **DIRECTED** to serve copies of this Order, the R&R (Doc. 30), and the judgment once it is entered on Defendant at its last known address via certified U.S. Mail.
4. The Clerk is further **DIRECTED** to close the file.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on January 25, 2024.



  
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ROY B. DALTON, JR.  
United States District Judge