

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

REDBOX+ INTERNATIONAL, LLC,

Plaintiff,

v.

Case No: 8:23-cv-393-CEH-SPF

WASTE MANAGEMENT
SOLUTIONS, INC.,

Defendant.

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ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Sean P. Flynn on October 5, 2023 (Doc. 30). In the Report and Recommendation, Magistrate Judge Flynn recommends that Plaintiff's Motion for Default Judgment (Doc. 28) be granted-in-part and denied-in-part. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). *See* Docs. 31, 32. No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 30) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) Plaintiff's Motion for Default Judgment (Doc. 28) is GRANTED-IN-PART and DENIED-IN-PART.
- (3) Plaintiff Redbox+ International, LLC, is entitled to a Judgment in its favor as to its claims of breach of contract, trademark infringement, and unfair competition.
- (4) A permanent injunction will be entered by separate Order. Defendant Waste Management Solutions, Inc., will be enjoined from:
 - a. Operating its business in the five territories covered by the parties' Franchise Agreement; and
 - b. Utilizing Redbox+ trademarks and/or trade dress.
- (5) Plaintiff shall be awarded \$9,888.50 in attorneys' fees and \$484.75 in costs.

DONE AND ORDERED at Tampa, Florida on December 5, 2023.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Sean P. Flynn
Counsel of Record