

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

DISH NETWORK L.L.C. and SLING TV
L.L.C.,

Plaintiffs,

v.

Civil Action No. 3:21-cv-655-DJH-RSE

KEVIN HIBDON and JAMES DUSTIN
MEADOWS,

Defendants.

* * * * *

ORDER

Plaintiffs DISH Network L.L.C. and SLING TV L.L.C. sued Defendants Kevin Hibdon and James Dustin Meadows on October 28, 2021, alleging violations of the Digital Millennium Copyright Act. (Docket No. 1) Meadows was initially represented by counsel and filed an answer (*see* D.N. 6), but his counsel subsequently withdrew “because of Mr. Meadows’ inability to comply with the Federal Rules of Civil Procedure.” (D.N. 17, PageID.68) The Clerk entered default against Meadows on January 12, 2023. (D.N. 35) Plaintiffs subsequently moved for default judgment against Meadows pursuant to Federal Rule of Civil Procedure 55(b). (D.N. 38)

The motion was referred to Magistrate Judge Regina S. Edwards for report and recommendation. (D.N. 39) Judge Edwards issued her Report and Recommendation on July 21, 2023, recommending that the plaintiffs’ motion be granted, damages be awarded to plaintiffs, and a permanent injunction be entered against Meadows. (D.N. 44) The time for objections to the magistrate judge’s recommendation has now run, with no objections filed. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2).

Because no party has objected to the report and recommendation, the Court may adopt it without review. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Nevertheless, the Court has

conducted its own review of the record and finds no error in the magistrate judge's conclusions. Accordingly, and the Court being otherwise sufficiently advised, it is hereby

ORDERED as follows:

(1) The Report and Recommendation of Magistrate Judge Regina S. Edwards (D.N. 44) is **ADOPTED** in full and **INCORPORATED** by reference herein. Plaintiffs' motion for default judgment and permanent injunction against Defendant James Dustin Meadows (D.N. 38) is **GRANTED**.

(2) Pursuant to 17 U.S.C. § 1203(b)(1), Defendant Meadows and any officer, agent, servant, employee, or other person acting in active concert or participation with him that receives actual notice of this Order are hereby **ENJOINED** from

(a) Circumventing a DRM or any other technological protection measure that controls access to Sling Programming through any internet streaming device;

(b) Manufacturing, importing, offering to the public, providing, or otherwise trafficking in any technologies, products, or services that

(i) are primarily designed or produced for circumventing a technological measure employed by Plaintiffs that controls access to, copying, or the distribution of copyrighted works;

(ii) have only limited commercially significant purpose or use other than circumventing a technological measure employed by Plaintiffs that control access to, copying, or the distribution of copyrighted works; or

(iii) are marketed for purposes of circumventing a technological measure employed by Plaintiffs that controls access to, copying, or the distribution of copyrighted works;

(c) Receiving or assisting others in receiving Sling's internet transmissions; and

(d) Selling, leasing, licensing, assigning, conveying, distributing, loaning, encumbering, pledging, or otherwise transferring, whether or not for consideration or compensation, any part of Meadows's infringing operations

(3) A separate Judgment will be entered this date.

August 14, 2023

A handwritten signature in black ink, appearing to read "D.J. Hale", is written over a faint circular seal of the United States District Court.

**David J. Hale, Judge
United States District Court**