

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLINT BREWER,

Plaintiff,

- against -

SOFIA VERGARA ENTERPRISES, INC. and  
SOFIA VERGARA

Defendants.

Docket No. 1:20-cv-4865-AKH

**DEFAULT JUDGMENT**

**WHEREAS**, this matter came before the Court on plaintiff Clint Brewer (“Plaintiff”)’s motion for entry of a default judgment against Defendants Sofia Vergara Enterprises, Inc. and Sofia Vergara (“Defendants”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2, and the Clerk, on January 27, 2021, having issued a certificate of default (ECF No. 12).

**WHEREAS**, Plaintiff filed his application for entry of default judgment seeking \$5,000.00 in statutory damages under 17 U.S.C. § 504(c); \$5,000.00 in statutory damages under 17 U.S.C. § 1202(b)(3); \$455.00 in attorneys’ fees and \$440.00 costs under 17 U.S.C. § 505; and for such further relief as this Court deems just and proper.

**THEREFORE, IT IS ADJUDGED AND ORDERED** that Plaintiff’s Application for Entry of Default Judgment is GRANTED pursuant to Fed. R. Civ. P. 55(b)(2). Plaintiff proved his copyright in a photograph of defendant, and defendant infringed the copyright by a single, unauthorized publication of the photograph, without attribution of source; it is

**FURTHER ORDERED** that Defendants shall pay \$750.00 in statutory damages under 17 U.S.C. § 504(c); it is

**FURTHER ORDERED** that Defendants shall pay \$750.00 in statutory damages under 17 U.S.C. § 1203(c)(3)(B). No damages for willful conduct have been plausibly shown, and none will be assessed; it is

**FURTHER ORDERED**, that Defendants shall post-judgment interest under 28 U.S.C.A. § 1961; it is

**FURTHER ORDERED** that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: February 18, 2021

**SO ORDERED.**

/s/ Alvin K. Hellerstein  
Alvin K. Hellerstein (U.S.D.J.)