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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DIRECTV, INC., a California corporation,

Plaintiff,

v.

ERIC JEWEL, ANTHONY MENESES,
and JOHN DOES 1-10,

Defendants.

CASE NO. CV 04-563 DT (Ex)

[PROPOSED] JUDGMENT AND
PERMANENT INJUNCTION
AGAINST DEFENDANT
ANTHONY MENESES

Court: Hon. Dickran Tevrizian
Courtroom: 880

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d).

On November 24, 2004, this Court entered Summary Judgment in favor of Plaintiff DIRECTV, Inc. on Plaintiff's claims that Defendant Meneses second, third, fourth and sixth causes of action for violations of 47 U.S.C. § 605(e)(4), 17 U.S.C. § 1201(a)(2), 17 U.S.C. § 1201(b)(1) and 18 U.S.C. § 2512(1)(b). The Court awarded damages in the amount of \$870,000 in favor of DIRECTV. The Court also awarded DIRECTV attorneys fees and costs and asked DIRECTV to submit information as to the appropriate amount of this award. DIRECTV has elected not to pursue fees or costs.

In addition, 47 U.S.C. §605(e)(3)(B)(i) authorizes "final or temporary injunctions" to prevent or restrain further violations of Section 605(a). See

1 47 U.S.C. § 605(e)(3)(B)(I); see also Cable/Home Communication, 902 F.2d at
2 849; Showtime/The Movie Channel, Inc. v. Covered Bridge Condominium
3 Association, 693 F. Supp. 1080, 1090-91 (S.D. Fla. 1988). Because the sale of
4 Pirate Access Devices in violation of Section 605(e)(4) is, in essence, a violation
5 of Section 605(a), see Cable/Home Communication, 902 F.2d at 848; National
6 Subscription Television, 644 F.2d at 826-27, the Court also enjoins Defendant
7 Meneses from further violations of Section 605(e)(4).

8 On December 2, 2004, DIRECTV moved ex parte to dismiss without
9 prejudice pursuant to Fed. R. Civ. P. 41(a)(2) the claims set forth in the Complaint
10 which had not been the subject of the motion for summary judgment. On
11 December 3, 2004 this Court granted that application and dismissed the remaining
12 claims.

13
14 NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED
15 AS FOLLOWS:

16 1. Judgment is entered against defendant Anthony Meneses on
17 DIRECTV, Inc.'s claims under 47 U.S.C. § 605(e)(3)(C)(i), 17 U.S.C. §1201(a)(2),
18 17 U.S.C. §1201(b)(1) and 18 U.S.C. §2512(1)(b).

19 2. Defendant Anthony Meneses is ordered to pay to plaintiff
20 DIRECTV, Inc. the sum of \$870,000.00 in statutory damages.

21 3. Pursuant to 47 U.S.C. § 605(e)(3)(B)(i), defendant Anthony
22 Meneses, and any persons or entities controlled directly or indirectly by him, are
23 permanently enjoined and restrained from:

24 (a) intercepting, receiving or assisting others in receiving
25 DIRECTV's satellite transmissions of television programming without
26 authorization by and payment to DIRECTV;

27 (b) manufacturing, assembling, modifying, importing,
28 exporting, distributing, possessing, or selling Bootloaders, Unloopers,

1 Emulators, Programmers, Reader/Writers or other devices designed or
2 intended to facilitate the reception and decryption of DIRECTV's satellite
3 transmissions of television programming by persons not authorized to
4 receive such programming; and

5 (c) advertising the sale of Bootloaders, Unloopers,
6 Emulators, Programmers, Reader/Writers or other devices designed or
7 intended to facilitate the reception and decryption of DIRECTV's satellite
8 transmissions of television programming by persons not authorized to
9 receive such programming, or from advertising or providing information or
10 technical services in support thereof.

11
12 IT IS SO ORDERED.

13
14 DATED: DEC. 28, 2004

15 DICKRAN TEVRIZIAN
16 Honorable Dickran Trevizian
17 United States District Judge

18 Presented by:

19 QUINN EMANUEL URQUHART
20 OLIVER & HEDGES, LLP

21 By: Scott L. Watson
22 Scott L. Watson
23 Attorneys for Plaintiff DIRECTV, Inc.
24
25
26
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28

PROOF OF SERVICE

1013A(3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is: QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP, 865 South Figueroa Street, 10th Floor, Los Angeles, CA 90017

On December 15, 2004 I served the foregoing document(s) on interested parties in this action described as: **[PROPOSED] JUDGMENT AND PERMANENT INJUNCTION AGAINST DEFENDANT ANTHONY MENESES**

ANNI
S

Anthony Meneses 662 California Avenue La Puente, CA 91744	
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 X ****(BY MAIL)** I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

 X ****(BY MAIL)** I caused such envelope to be placed in the firm's mail. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

 ****(BY FEDERAL EXPRESS)** by placing the document(s) listed above in such envelope for deposit with FEDERAL EXPRESS to be delivered via priority overnight service to the persons at the following address:

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 ****(BY TELECOPIER)** By transmitting the above listed document(s) to the fax number(s) set forth below on this date.

Executed on December 15, 2004, at Los Angeles, California.

 X (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

 Yalonda J. Dekle
Type or Print

 Yalonda J. Dekle
Signature