

1 RANDALL S. NEWMAN (SBN 190547)

2 Attorney at Law

3 99 Wall St., Suite 3727

4 New York, NY 10005

5 212.797.3735

6 rsn@randallnewman.net

7 *Attorney for Plaintiff,*

8 *Jose Maria DeCastro*

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 JOSE MARIA DECASTRO,

12 Plaintiff,

13 vs.

14 JOHN BRENDAN O'DEA,

15 Defendant.

16 Case No. 25-cv-6567-NC

17 **Hon. Nathanael M. Cousins**

18 **[PROPOSED] JUDGMENT FOR**
19 **DEFAULT**

1 **[PROPOSED] JUDGMENT**

2 Plaintiff Jose Maria DeCastro (“Plaintiff”) having moved for entry of default
3 judgment pursuant to Federal Rule of Civil Procedure 55(b)(2); the Clerk having
4 previously entered default against Defendant John Brendan O’Dea (“Defendant”); and the
5 Court having considered Plaintiff’s motion, the pleadings, and the record in this action;

6 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:**

7 **1. Default Judgment as to Liability**

8 Default judgment is entered in favor of Plaintiff and against Defendant on Plaintiff’s
9 claims under: the Stored Communications Act, 18 U.S.C. § 2701; the Computer Fraud and
10 Abuse Act, 18 U.S.C. § 1030; and 17 U.S.C. § 512(f).

11 **2. Declaratory Relief**

12 The Court declares that Defendant had no lawful authorization to reproduce,
13 rebroadcast, or publicly perform Plaintiff’s audiovisual works as alleged in the Complaint,
14 and that Defendant’s use of those works does not constitute fair use under 17 U.S.C. § 107.

15 **3. Permanent Injunction**

16 Defendant, and all persons acting in concert or participation with him, are
17 permanently enjoined from reproducing, distributing, publicly performing, or publicly
18 displaying the following videos identified in the Complaint: the October 23, 2022
19 rebroadcast located at <https://www.youtube.com/watch?v=wTgflBnDvfw>; and the
20 November 15, 2022 rebroadcast located at
21 <https://www.youtube.com/watch?v=hGUx9FC3Eo4>.

22 **4. Damages, Costs and Attorney’s Fees Reserved**

23 The determination of damages, statutory damages (if any), attorney’s fees, and costs
24 is expressly reserved. Plaintiff may seek such relief by separate application or prove-up
25 upon further order of the Court.

26 **5. Retention of Jurisdiction**

27 The Court retains jurisdiction to enforce this Judgment and the permanent injunction
28 set forth herein, and to determine any issues relating to damages, attorney’s fees, and costs.

1 **6. Final Judgment**

2 This Judgment resolves all claims on which Plaintiff seeks default judgment as set
3 forth in Plaintiff’s motion and is a final judgment for purposes of Federal Rule of Civil
4 Procedure 58, except as to damages, attorney’s fees and costs, which are expressly
5 reserved.

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7 **IT IS SO ORDERED**

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10 Dated: _____, 2026

11 HON. NATHANAEL M. COUSINS
12 UNITED STATES MAGISTRATE JUDGE
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