

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID OPPENHEIMER,
Plaintiff,
v.
PLEXUSS, INC.,
Defendant.

Case No. [5:21-cv-01422-EJD](#)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION**

Re: Dkt. Nos. 15, 20

The Court has reviewed Magistrate Judge Joseph C. Spero's Report and Recommendation Regarding Motion for Default Judgment, as well as Plaintiff David Oppenheimer's response to the Report. Although styled as "objections," Oppenheimer's response filed by his counsel expressly states that "Plaintiff is not requesting any specific action to be taken as a result of this filing" Dkt. No. 24 ¶ 5. The Court therefore understands Oppenheimer as not objecting to Judge Spero's Report.

The Court finds the Report correct, well-reasoned, and thorough, and adopts it in every respect. Accordingly, the Court GRANTS IN PART default judgment as to Oppenheimer's copyright claim but DENIES IN PART default judgment as to his DMCA claim. The Court awards Oppenheimer \$12,029 inclusive of costs but denies the request for attorneys' fees.

IT IS SO ORDERED.

Dated: November 22, 2021



EDWARD J. DAVILA
United States District Judge