

Robinson, J. ✓
⑨

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; UMG RECORDINGS, INC., a Delaware corporation; BMG MUSIC, a New York general partnership; and SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership,	:	X
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
MICHELLE SANTANGELO and ROBERT SANTANGELO, JR.,	:	
	:	
Defendants.	:	

Civil Action No.: 7:06-cv-11520-SCR

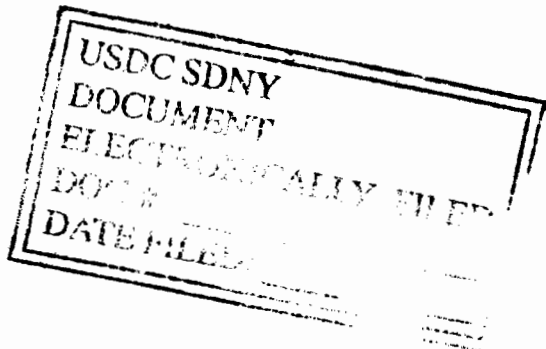
PARTIAL
~~IN~~ **DEFAULT**
JUDGMENT AND PERMANENT
INJUNCTION

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefore, it is

ORDERED, ADJUDGED AND DECREED that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the forty-one sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant Michelle Santangelo shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Thirty Thousand Seven Hundred Fifty Dollars (\$30,750.00).

2. Defendant Michelle Santangelo shall pay further Plaintiffs' costs of suit herein in the amount of Four Hundred Ninety Dollars (\$490.00).



3. Defendant Michelle Santangelo shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Happy," on album "A Place in the Sun," by artist "Lit" (SR# 264-272);
- "Nowhere Fast," on album "Make Yourself," by artist "Incubus" (SR# 278-818);
- "Semi-Charmed Life," on album "Third Eye Blind," by artist "Third Eye Blind" (SR# 188-673);
- "Can't Help Falling In Love," on album "Promises And Lies," by artist "UB40" (SR# 186-039);
- "Whatever," on album "Godsmack," by artist "Godsmack" (SR# 241-879);
- "Breakout," on album "There Is Nothing Left To Lose," by artist "Foo Fighters" (SR# 285-034);
- "Party Up," on album "And The There Was X," by artist "DMX" (SR# 285-034);
- "All for You," on album "All for You," by artist "Janet Jackson" (SR# 308-900);
- "Pretty Fly (For a White Guy)," on album "Americana," by artist "The Offspring" (SR# 264-015);
- "Sweet Child O' Mine," on album "Appetite for Destruction," by artist "Guns N Roses" (SR# 85-358);
- "Stick Em Up," on album "Back For the First Time," by artist "Ludacris" (SR# 289-433);
- "Bat Out Of Hell," on album "Bat Out Of Hell," by artist "Meat Loaf" (SR# N46849);

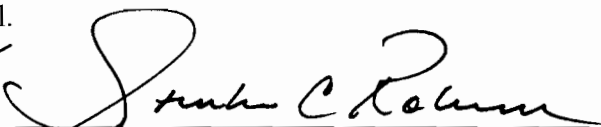
- "Down Under," on album "Business As Usual," by artist "Men At Work" (SR# 35-328);
- "Butterfly," on album "Butterfly," by artist "Mariah Carey" (SR# 244-014);
- "Ride Wit Me," on album "Country Grammar," by artist "Nelly" (SR# 281-782);
- "Fantasy," on album "Daydream," by artist "Mariah Carey" (SR# 215-243);
- "I Touch Myself," on album "Divinyls," by artist "DiVinyls," (SR# 127-625);
- "Little Things," on album "Good Charlotte," by artist "Good Charlotte" (SR# 288-305);
- "All Apologies," on album "In Utero," by artist "Nirvana" (SR# 172-276);.
- "I'm So Into You," on album "It's About Time," by artist "SWV"(SR# 146-905);
- "All My Life," on album "Love Always," by artist "K-Ci & Jojo" (SR# 238-754);
- "MMM Bop," on album "Middle Of Nowhere," by artist "Hanson" (SR# 238-338);
- "Echo," on album "Morning View," by artist "Incubus"(SR# 306-181);
- "Hero," on album "Music Box," by artist "Mariah Carey"(SR# 178-631);
- "Nellyville," on album "Nellyville," by artist "Nelly" (SR# 315-537);
- "Lithium," on album "Nevermind," by artist "Nirvana" (SR# 135-335);
- "Give Me One Reason," on album "New Beginning," by artist "Tracy Chapman" (SR# 188-489);
- "Heartbreaker," on album "Rainbow," by artist "Mariah Carey" (SR# 276-595);
- "A Certain Shade of Green," on album "SCIENCE," by artist "Incubus"(SR# 249-690);

- “My Friends Over You,” on album “Sticks and Stones,” by artist “New Found Glory” (SR# 308-874);
- “I Wanna Love You Forever,” on album “Sweet Kisses,” by artist “Jessica Simpson” (SR# 276-117)
- “Alive,” on album “Ten,” by artist “Pearl Jam” (SR# 137-787);
- “Together Again,” on album “The Velvet Rope,” by artist “Janet Jackson” (SR# 261-516);
- “Bills, Bills, Bills,” on album “The Writing’s On The Wall,” by artist “Destiny’s Child” (SR# 268-936);
- “Lifestyles of the Rich and Famous,” on album “The Young and the Hopeless” by artist “Good Charlotte” (SR# 309-099);
- “Colorblind,” on album “This Desert Life,” by artist “Counting Crows” (SR# 271-316);
- “Beat It,” on album “Thriller,” by artist “Michael Jackson” (SR# 41-965);
- “November Rain,” on album “Use Your Illusion I,” by artist “Guns N Roses” (SR# 134-647);
- “Undone (The Sweater Song),” on album “Weezer,” by artist “Weezer” (SR# 187-644);
- “Wide Open Spaces,” on album “Wide Open Spaces,” by artist “Dixie Chicks” (SR# 252-000);
- “Saturday (Oooh! Oooh!),” on album “Word of Mouf,” by artist “Ludacris” (SR# 304-605).

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media

distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

✓ DATED: January 9, 2007
White Plains, NY

✓ By: 
Hon. Stephen C. Robinson
United States District Judge

This document was entered on the docket
on _____.