

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
KEY WEST DIVISION**

Case Number: 11-cv-10084-JLK

**KEY WEST ASSOCIATION
OF REALTOR[®]S, INC.**, a Florida
Non-Profit Corporation,

Plaintiff,

vs.

ROBERT ALLEN, an individual
doing business as www.KeyWestMLS.com;
STEVE SCHWARTZ, an individual and
SEAPORT, LLC, a Florida Limited Liability
Company;

Defendants.

**FINAL JUDGMENT OF DAMAGES
AND INJUNCTIVE RELIEF AGAINST DEFENDANT ALLEN**

THIS CAUSE came before the Court on May 15, 2013 through Plaintiff KEY WEST ASSOCIATION OF REALTOR[®]S, INC., (“KWAR”) Motion for Final Judgment for Damages Against Defendant ROBERT ALLEN with Incorporated Memorandum of Law and accompanying supporting Affidavits (DE #40) and this Court’s Order Granting said Motion.

This Court, being fully advised in the premises and having considered the record accordingly, the Court does hereby:

ORDER, ADJUDGE and DECREE as follows:

1. That a Final Judgment of Damages is entered against Defendant ALLEN in favor of Plaintiff KWAR on Count I of the Plaintiff’s Complaint with relief awarded to Plaintiff as follows, for which let execution issue:


a. Statutory Damages: Pursuant to 17 U.S.C. §504(c)(2) of the Copyright Act, a judgment of maximum statutory damages shall be entered against Defendant ALLEN, in the amount of \$2,700,000.00 for Defendant's willful infringement of Plaintiff KWAR's KEY WEST MLS copyrights in its 18 registration certificates;

b. Permanent Injunction: Pursuant to 17 U.S.C. §502 of the Copyright Act, a permanent injunction is hereby issued against Defendant ALLEN who shall be permanently enjoined from infringing Plaintiff's copyrights in the KEY WEST MLS, including, but not limited to any infringement through the unauthorized reproduction, copy, display, publication, broadcast and/or repost of the Plaintiff's KEY WEST MLS database of on the KeyWestMLS.com website or any other website. This permanent injunction shall be binding upon Defendant ALLEN and his agents, representatives, attorneys, partners, employees, licensees, heirs, successors and assigns and all other persons and entities in active concert or participation with him in infringing Plaintiff's KEY WEST MLS copyrights;

c. Entitlement to Fees: Pursuant to 17 U.S.C. §505 of the Copyright Act, Plaintiff KWAR is entitled to an award of reasonable attorneys fees' and costs pursuant to the Copyright Act, the amount of which shall be determined under a separate motion, for which the Court reserves jurisdiction;

d. Post-judgment Interest: Post-judgment interest shall accrue at the rate set by 28 U.S.C. §1961.

DONE and ORDERED in chambers at the James Lawrence King Federal Justice Building and United States Courthouse, Miami, Florida, this 22 day of May, 2013.



JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF FLORIDA

cc: Counsel for Plaintiff

Steven Robert Kozlowski, Esq.
Kozlowski Law Firm, P.A.
777 Brickell Avenue, Suite 800
Miami, Florida 33131

Defendant Robert Allen

Robert Allen
P.O. Box 2559
Key West, FL 33045