#### UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

DISH NETWORK L.L.C.,

Case No: 6:20-cv-1896-PGB-DCI

Plaintiff,

v.

ALFA TV INC., HAITHAM MANSI a/k/a Haitham al-Heti, HISHAM MANSE IBRAHEM, NEZAR SAEED HAMMO, and MOHAMMED ABU OUN a/k/a Mohammad Abuoun, individually and together d/b/a ElafnetTV,

Defendants.

### STIPULATED MOTION FOR ENTRY OF FINAL JUDGMENT AND PERMANENT INJUNCTION

This stipulation is filed jointly by Plaintiff DISH Network L.L.C ("DISH") and Defendants Alfa TV Inc., Haitham Mansi, and Hisham Manse Ibrahem (collectively "Defendants"). DISH and Defendants request that the Court enter a final judgment and permanent injunction against Defendants. This stipulation has no effect on DISH's claims against co-defendants Nezar Saeed Hammo and Mohammed Abu Oun.

# I. Nature of the Case

DISH filed this case alleging that Defendants, through a streaming television service (the "ATN/Elafnet Service"), provided television channels exclusively licensed to DISH<sup>1</sup> to consumers located in the United States that purchased

<sup>&</sup>lt;sup>1</sup> DISH holds or held the exclusive right to distribute and publicly perform in the United States the works that air on the Aaj Tak; Al Hayah 1 (a/k/a Al Hayat 1); Al Jazeera Arabic News; ART Cima; ATN Bangla; ATN News; B4U Music; CBC; CBC Drama; Dunya TV; Express Entertainment; Express News; Future TV; Geo News; Geo TV; Hekayat; Hum Masala; Hum Sitaray; Hum TV; Hum World; LBC; LBCI (a/k/a LDC); MBC1; MBC Drama; MBC Kids (a/k/a MBC3); MBC Masr; Melody Classic; NTV Bangla; SAB; SET Max; Sony SET; Zee Aflam; and Zee Alwan

Defendants' ATN set-top boxes, apps, and service subscriptions. DISH alleges that Defendants contributorily infringed DISH's copyrights in violation of the Copyright Act and 17 U.S.C. § 501.

# II. Relief Requested

DISH and Defendants agree that a final judgment should be entered for DISH on Count I of the Complaint (Dkt. 1) alleging inducing and materially contributing to copyright infringement under 17 U.S.C. § 501. DISH and Defendants also agree that damages should be awarded to DISH in the amount of \$16,050,000 pursuant to 17 U.S.C. § 504(c), consisting of \$150,000 per work for 107 of DISH's registered, copyrighted works that Defendants willfully and maliciously infringed. In addition, DISH and Defendants agree to the Court's entry of a permanent injunction, which is authorized pursuant to 17 U.S.C. § 502. A proposed final judgment and permanent injunction is being submitted concurrently with this stipulation.

Dated: January 10, 2023

Respectfully submitted,

<u>/s/ Stephen M. Ferguson</u> Stephen M. Ferguson (*pro hac vice*) HAGAN NOLL & BOYLE LLC Two Memorial City Plaza 820 Gessner, Suite 940 Houston, Texas 77024 Telephone: (713) 343-0478 Facsimile: (713) 758-0146 Email: stephen.ferguson@hnbllc.com

James A. Boatman, Jr. (Trial Counsel) Florida Bar No. 0130184 BOATMAN RICCI, PA 3021 Airport-Pulling Road North, Suite 202 Naples, Florida 34105 Telephone: (239) 330-1494 Email: jab@boatmanricci.com

channels by means including satellite, OTT, Internet protocol television ("IPTV"), and Internet.

Attorneys for Plaintiff DISH Network L.L.C.

<u>/s/ Thomas McDermott</u> Thomas McDermott Law Office of Thomas McDermott 901 NW 8th Avenue, Ste. A-6 Gainesville, FL 32601 Telephone: 352-451-4980 Email: mcdermott.lawyer@gmail.com

Attorney for Defendants Alfa TV Inc., Hisham Manse Ibrahem, Haitham Mansi, and Nezar Saeed Hammo

#### LOCAL RULE 3.01(g) CERTIFICATION

Pursuant to Local Rule 3.01(g), filing attorney certifies that DISH's counsel

conferred with Defendants' counsel on January 10, 2023, and Defendants'

counsel agrees to the relief sought in this motion.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on January 10, 2023, I electronically filed this Stipulated

Motion for Entry of Final Judgment and Permanent Injunction, with the Clerk of

the Court using the CM/ECF System, which will send notifications of such filing to

the following:

Thomas McDermott Law Office of Thomas McDermott 901 NW 8th Avenue, Ste. A-6 Gainesville, FL 32601 Telephone: 352-451-4980 Email: mcdermott.lawyer@gmail.com *Attorney for Defendants Alfa TV Inc., Hisham Manse Ibrahem, Haitham Mansi, and Nezar Saeed Hammo* 

> <u>/s/ Stephen M. Ferguson</u> Stephen M. Ferguson (*pro hac vice*)

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HAGAN NOLL & BOYLE LLC Two Memorial City Plaza 820 Gessner, Suite 940 Houston, Texas 77024 Telephone: (713) 343-0478 Facsimile: (713) 758-0146 Email: stephen.ferguson@hnbllc.com