

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No.: TDC-15-3185

ORDER

Before the Court is Plaintiff's Motion for Entry of Default Judgment Against Defendant ("Plaintiff's Motion") (ECF No. 28; ECF No. 29). This matter has been referred to the undersigned for a Report & Recommendation. The Court held a hearing on October 19, 2017 relating to Plaintiff's Motion seeking an award of attorneys' fees.

Pursuant to the statements provided by Plaintiff's counsel, the Court is concerned with the documentation and support for counsel's request for fees. Counsel indicated that he no longer possesses pertinent "calendar" entries reflecting services provided to Malibu Media, LLC. Said "pages of [his] calendar" were destroyed around the second quarter of this year. Moreover, counsel indicated that the reason for not retaining said "calendar" which reflected his time records was the lack of any cases currently pending for Malibu Media, LLC. It has come to the Court's attention that counsel does in fact have an ongoing case representing Malibu Media,

LLC, namely, *Malibu Media, LLC v. Doe*, 8:17-cv-00401-GJH. According to the docket entries for that case, counsel submitted motions as recently as May, 2017. *Id.* As such, Plaintiff's counsel should be in possession of the "calendar" records with attorney time entries documented for the above mentioned case.

Therefore it is this 19th day of October, 2017, hereby,

ORDERED that Plaintiff's counsel shall provide a copy of all calendar entries for calendar year 2017, which reflect attorney fee time notations to Malibu Media, LLC as described during today's hearing, within seven (7) calendar days of the date of this Order.

October 19, 2017

/s/
Charles B. Day
United States Magistrate Judge

CBD/gbc