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11 Attorneys for Plaintiff  
12 MYSPACE, INC.

13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 MYSPACE, INC., a Delaware  
16 Corporation,

17 Plaintiff,

18 vs.

19 SANFORD WALLACE D/B/A  
20 FREEVEGASCLUBS.COM, REAL-  
21 VEGAS-SINS.COM, and FEEBLE  
22 MINDED PRODUCTIONS, an  
23 individual; WALTER RINES, an  
24 individual; ONLINE TURBO  
25 MERCHANT, INC., a corporation;  
26 and ODYSSEUS MARKETING,  
27 INC., a corporation,

28 Defendants.

CASE NO. CV-07-1929 ABC (AGR<sub>x</sub>)

**ORDER GRANTING PLAINTIFF  
MYSPACE, INC.'S MOTION FOR  
DEFAULT JUDGMENTS AGAINST  
DEFENDANTS SANFORD  
WALLACE AND WALTER RINES**

**Filed Concurrently With:**  
**Notice of Motion and Motion;**  
**Memorandum; Declaration of Lori**  
**Chang; Declaration of Shing Yin**  
**Khor; Declaration of Kevin Dato;**  
**and Declaration of Joseph Marotta.**

Date: May 12, 2008  
Time: 10:00 a.m.  
Ctrm: 680  
Judge: Hon. Audrey B. Collins

1 Plaintiff MySpace, Inc.’s (“MySpace”) Motion For Default Judgments Against  
2 Defendants Sanford Wallace And Walter Rines came before the Court on May 12, 208,  
3 in courtroom 680, the Honorable Audrey B. Collins presiding. Having reviewed the  
4 moving and opposing papers and supporting declarations filed with the Court, and having  
5 heard the arguments of counsel, IT IS HEREBY ORDERED AND ADJUDGED THAT:

6 Default judgments are entered against defendants Sanford Wallace and Walter  
7 Rines as follows:

8 A. [To be checked by the Court]

9  X  Statutory damages in the amount of \$157,390,200 against Wallace and  
10 \$233,777,500 against Rines, for violations of the CAN-SPAM Act (\$157,390,200 in joint  
11 and several liability and an additional \$63,387,300 against Rines).

12  
13 B. Statutory damages in the amount of \$1,500,000 are awarded against  
14 defendants for violations of California’s anti-phishing statute, Cal. Bus. & Prof. Code §  
15 22948.2.

16 C. Attorneys’ fees awarded against defendants in an amount that equals to  
17 \$4,709,140.00, as calculated pursuant to the formula prescribed by Local Rule 55-3  
18 (\$5,600 plus 2% of the amount over \$100,000); plus costs of suit.

19 D. A permanent injunction against defendants, as follows:

20 The Court ENJOINS defendants Sanford Wallace and Walter Rines (collectively  
21 “defendants”) and their agents, servants, employees, representatives, and all other  
22 persons or entities acting on defendants’ behalf or in concert or participation with  
23 defendants, from:

24 (1) accessing or using the MySpace.com website, MySpace Internet messaging  
25 service and/or any other services offered by or through MySpace (the “MySpace  
26 Service”) to directly or indirectly send or transmit any electronic communications, emails  
27

1 or instant messages to any MySpace user or MySpace account or to post comments or  
2 bulletins;

3 (2) establishing or maintaining MySpace profiles or accounts;

4 (3) using the MySpace Service for a commercial purpose;

5 (4) referring to MySpace in connection with any unsolicited commercial  
6 electronic communication, email or instant message, in any way that falsely or  
7 fraudulently suggests that such message was approved by, generated by, or is in any way  
8 affiliated with MySpace;

9 (5) using any MySpace logo or using any graphic, interface, or other  
10 presentation that approximates or resembles the MySpace.com log-in page to mislead  
11 users into believing that they are logging onto their MySpace.com accounts rather than  
12 providing defendants with their username and password;

13 (6) inducing a MySpace user to provide MySpace identifying information,  
14 including MySpace account information such as a username and/or password, without  
15 first informing the user the defendants are not affiliated with or sanctioned by MySpace  
16 and without obtaining fully informed, knowing, and voluntary consent through a separate  
17 affirmative step by the user;

18 (7) using any automated scripts, bots, or other executable programs in  
19 connection with any MySpace account or the MySpace Service or providing such  
20 programs to third parties for use on the MySpace Service; and

21 (8) encouraging, facilitating, enabling or inducing any person or entity to do any of  
22 the above.

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24  
25 DATED: May 12, 2008

By: \_\_\_\_\_

26 Honorable Audrey B. Collins

27 United States District Judge

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Submitted by:

GREENBERG TRAURIG LLP

By \_\_\_\_\_

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WENDY M. MANTELL  
LORI CHANG

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MYSPACE, INC.