

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 09-22979-CIV-MORENO

NORBERTO FUENTES,

Plaintiff,

vs.

MEGA MEDIA HOLDINGS, INC. d/b/a MEGA
TV and SPANISH BROADCASTING SYSTEM
OF DELAWARE, INC.,

Defendants.

**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

THE MATTER was referred to the Honorable Edwin G. Torres, United States Magistrate Judge for a Report and Recommendation on Defendants' Motion for Summary Judgment (**D.E. No. 83**), filed on **December 17, 2010**. The Magistrate Judge filed a Report and Recommendation (**D.E. No. 142**) on **June 9, 2011**. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues and notes that no objections to the Report and Recommendation have been filed and the time for doing so has now passed.

ADJUDGED that United States Magistrate Judge Edwin G. Torres's Report and Recommendation (**D.E. No. 142**) on **June 9, 2011** is **AFFIRMED** and **ADOPTED**. Accordingly, it is


ADJUDGED that:

- (1) The Defendants' Motion for Summary Judgment is **GRANTED**. The Court agrees with Magistrate Judge Torres that the Defendants' use of the work was, as a matter of law,

protected fair use under the statute.

(2) The Clerk of Court is directed to mark this case as closed and DENY all other pending motions as moot.

DONE AND ORDERED in Chambers at Miami, Florida, this 29th day of June, 2011.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to:

United States Magistrate Judge Edwin G. Torres

Counsel of Record