

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KRYSTINA CLOWES,)	
)	
Plaintiff,)	Civil Action No. 15-1012
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Cynthia Reed Eddy
LIVE NATION ENTERTAINMENT,)	
INCORPORATED, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This case was referred to United States Magistrate Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On July 12, 2016, Plaintiff Krystina Clowes filed a Motion for Default Judgment (Doc. 32) against Defendant Ian Connor. A hearing on the matter was held on August 23, 2016. See Minute Entry of 8/23/2016. On October 18, 2016, the Magistrate Judge issued a Report (Doc. 45) recommending that the motion be granted and that the Court enter the following Order:

1. Plaintiff Krystina Clowes has proven beyond a preponderance of the evidence that Defendant Connor is liable to her for civil battery and negligence. Plaintiff Clowes suffered bodily harm, pain and suffering and emotional distress. The Court finds that Plaintiff Clowes is entitled to an amount of \$75,000.00 for bodily harm, pain and suffering and emotional distress caused by Defendant Connor's conduct.
2. Plaintiff has proved by a preponderance of the evidence that she is entitled to punitive damages for the extreme and outrageous conduct exhibited by Defendant Connor. Plaintiff Clowes is awarded \$75,000,000.00 in punitive damages.

The Clerk shall hereby enter judgment on behalf of Plaintiff Krystina Clowes in the amount of \$150,00.00 [sic], with costs taxed to Defendant Connor.

On October 26, 2016, the Magistrate Judge Issued an Order Correcting the Report and Recommendation (Doc. 46), stating that “[t]he Report and Recommendation issued October 18, 2016 [ECF No. 45] contained an error. The last sentence of paragraph two on page five of the Report shall read as follows: ‘The Clerk shall hereby enter judgment on behalf of Plaintiff Krystina Clowes in the amount of \$150,000.00, with costs taxed to Defendant Connor.’” No objections to the Magistrate Judge’s Report and Recommendation have been filed.

After a review of the record in the case, together with the Report and Recommendation, the following Order is entered:

Plaintiff’s Motion for Default Judgment against Defendant Ian Connor (**Doc. 32**) is **GRANTED**. IT IS FURTHER ORDERED that:

1. Plaintiff Krystina Clowes has proven beyond a preponderance of the evidence that Defendant Connor is liable to her for civil battery and negligence. Plaintiff Clowes suffered bodily harm, pain and suffering and emotional distress. The Court finds that Plaintiff Clowes is entitled to an amount of \$75,000.00 for bodily harm, pain and suffering and emotional distress caused by Defendant Connor’s conduct.

2. Plaintiff has proved by a preponderance of the evidence that she is entitled to punitive damages for the extreme and outrageous conduct exhibited by Defendant Connor. Plaintiff Clowes is awarded \$75,000,000.00 in punitive damages.

The Clerk shall hereby enter judgment on behalf of Plaintiff Krystina Clowes in the amount of \$150,000.00, with costs taxed to Defendant Connor.

The Magistrate Judge’s Report and Recommendation, dated October 18, 2016, as corrected by the Magistrate Judge’s October 26, 2016 Order, hereby is adopted as the Opinion of the District Court subject to the following modest revision: The third sentence in the second

complete paragraph on page three should read, “Plaintiff’s Proposed Findings of Fact, paragraphs 68-70, recite Dr. Thomas’s speculation concerning Plaintiff’s possible future medical care and medical costs, depending upon Plaintiff’s response to therapy, treatments and medication.”

IT IS SO ORDERED.

December 1, 2016

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record