

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

SEP 19 2008

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA,)

v.)

DANIEL DOVE,)

Defendant.)

Case No. 2:07CR00015

ORDER

By: James P. Jones

Chief United States District Judge

For the reasons stated on the record at sentencing, the court has reserved a ruling on restitution in this case.

To date, two alleged victims have requested restitution—Lionsgate Entertainment, Inc., c/o Vice-President Legal Affairs, 2700 Colorado Ave., Ste. 200, Santa Monica, CA 90404, in the amount of \$880,000, and Recording Industry Association of America, c/o L. Carlos Linares, Jr., Esq., 1025 F Street, N.W., 10th Floor, Washington, D.C., 20004, in the amount of \$47,000.

The parties, including any victims, are invited to submit to the court any further materials, including memoranda, in support or opposition to the requests for restitution. The court directs the parties' particular attention to the following issues:

1. Is restitution available for the offenses of which the defendant was convicted? *See* 18 U.S.C. §§ 3663(a)(1)(A), 3663A(c)(1); *United States v. Chalupnik*, 514 F.3d 748, 752 n.1 (8th Cir. 2008);

2. If restitution is available, is the proof sufficient as to the amounts

thereof?; and

3. Is a schedule of payment of any restitution appropriate in the case, pursuant to 18 U.S.C. § 3664(f)(2)?

Any such materials must be filed no later than **October 9, 2008**.

It is so **ORDERED**.

The clerk shall send copies of this Order to the victims at the addresses noted above.

ENTER: September 19, 2008



Chief United States District Judge