

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

HARSHAW RESEARCH, INC.)	
)	
and)	
)	
DALE REAM, INDIVIDUALLY,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 10-02437-JAR
)	
DANIEL W. TYLER)	
)	
Defendant.)	

ORDER GRANTING DEFAULT JUDGMENT
AND DETERMINING DAMAGES

On the 27th of September, 2010, the Court calls this matter for the purpose of hearing evidence on money damages (Doc. 9). The Court finds this matter was properly noticed. Plaintiffs appear in person by Dale Ream (appearing as an individual and the President of Harshaw Research, Inc.) and by counsel James R. Jarow. Defendant, Daniel W. Tyler, fails to appear.

After hearing the evidence, and for good cause shown, the Court makes the following findings:

1. Defendant was properly served process at his residence and failed to timely answer or otherwise respond, as set forth in the Clerk's Entry of Default Judgment.
2. All allegations of Plaintiffs are therefore admitted.

3. The statements made by Defendant in the "Attack Website" set forth in the Complaint were defamatory. The statements made by Defendant in the Attack Website directed at Dale Ream individually were also outrageous.
4. Plaintiffs were damaged as a result of the "Attack Website" as referenced in Plaintiffs' Complaint.
5. Plaintiff Harshaw Research, Inc. was damaged as follows: Past Lost Net Income in the amount of \$66,602; Future Lost Net Income in the amount of \$180,000; and punitive damages in the amount of \$10,000. The total damages of Harshaw Research, Inc. is therefore \$256,602.
6. Plaintiff Dale Ream, individually was damaged in the amount of \$10,000.
7. The sole remaining issue in this case is issuance of a permanent restraining order, which will be set for a future date upon motion by Plaintiffs.

IT IS SO ORDERED.

Dated: October 1, 2010

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE