

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, NORFOLK DIVISION**

Christopher Laccinole v. COVA Home Realty LLC, et al.

Laccinole · No. 2:21-cv-00507 · Decided March 4, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia adopts a magistrate judge's Report and Recommendation concerning Plaintiff Christopher Laccinole's motion for default judgment against KD Homes VA, LLC and Kelly Liedtke. The court awards \$19,000 in statutory damages, \$402 in court costs, and post-judgment interest for violations of the Telephone Consumer Protection Act and Virginia Telephone Privacy Protection Act, and directs entry of judgment and closure of the case.

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA Norfolk Division
CHRISTOPHER LACCINOLE, Plaintiff, v. ACTION NO. 2:21cv507 COVA HOME REALTY
LLC, et al., Defendants. FINAL ORDER Plaintiff Christopher Laccinole ("Plaintiff"), appearing
pro se, filed this action against Defendants COVA Home Realty LLC ("COVA"), Randolph James
Tappen ("Tappen"), KD Homes VA, LLC ("KD Homes"), and Kelly Liedtke ("Liedtke").

Second Am. Compl., ECF No. 23. The operative complaint asserted claims pursuant to the
Telephone Consumer Protection Act ("TCPA") and the Virginia Telephone Privacy Protection Act
("VTPPA"). /d. Despite being served with process, KD Homes and Liedtke never appeared in
this action, and default was entered against them. Entry Default, ECF No. 31. COVA and Tappen
were dismissed from this action pursuant to a stipulation of the appearing parties, and Plaintiff
subsequently filed a Motion for Default Judgment against KD Homes and Liedtke.!

Order, ECF No. 82; Stip., ECF No. 80; Mot. Default J., ECF No. 83. Plaintiff's Motion for Default
Judgment was referred to a United States Magistrate Judge for a Report and Recommendation
pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Rule ' Plaintiff styled his motion as a
"Motion for Summary Judgment Upon Defendants KD Homes VA LLC and Kelly Liedtke"
however, the Court construed Plaintiff's motion as a Motion for Default Judgment.

Referral Order at 1, ECF No. 87. 72(b) of the Federal Rules of Civil Procedure. Referral Order at
2, ECF No. 87. On January 23, 2026, the Magistrate Judge held a hearing on the Plaintiff's
motion.2, R&R at 2, ECF No. 90.

On February 11, 2026, the Magistrate Judge filed a Report and Recommendation, in which he
recommends that: 1, Plaintiff's [MJotion for [Default [JJudgment, ECF No. 83, be GRANTED IN

PART and DENIED IN PART; 2 Judgment be entered in [P]laintiff's favor against KD Homes for violations of the TCPA under Count II and the VTPPA under Count VIII for the five solicitations on September 12, 2021, at 2:18 p.m.; September 12, 2021, at 2:19 p.m.; November 21, 2021; December 16, 2021; and December 16, 2021, at 5:21 p.m.; 3.

Plaintiff be awarded damages totaling \$19,000.00, representing statutory damages under the TCPA (\$2,500.00) and the VTPPA (\$16,500.00), and post-judgment interest as calculated under 28 U.S.C. § 1961(a); and 4, Plaintiff be awarded court costs of \$402.00 under the VTPPA. Id. at 34-35. By copy of the Report and Recommendation, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge. □□ at 35.

No objections were filed by any party, and the time for filing objections has expired. Having reviewed the relevant portions of the record and finding no clear error in the Magistrate Judge's findings or reasoning,' the Court hereby ADOPTS in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on February 11, 2026.

See id. at 1-36. Accordingly, Plaintiff's Motion for Default Judgment, ECF No. 83, is GRANTED IN PART and DENIED IN PART, in the manner 2 Only Plaintiff appeared at the hearing; KD Homes and Liedtke did not appear. R&R at 2, ECF No. 90. 3 As no objections to the Report and Recommendation were filed, this Court must "only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Accident Ins.*

Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). recommended by the United States Magistrate Judge. The Clerk is DIRECTED to enter judgment in Plaintiffs favor against KD Homes, as detailed above, and close this case.

The Clerk is further DIRECTED to docket this Final Order in the Court's electronic filing system, and to send copies of this Final Order to KD Homes and Liedtke at 612 Cheeseman Court, Newport News, Virginia 23608. SO ORDERED. math Jackson UNITED STATES DISTRICT JUDGE Norfolk, Virginia March, 2026 4 The Court previously granted Plaintiff's E-Noticing Registration Request.

Order, ECF No. 67.