

(I) IMPOSE PRELIMINARY AND FINAL INJUNCTIONS TO PREVENT OR RESTRAIN A VIOLATION OF THIS SECTION;

(II) AT ANY TIME WHILE AN ACTION IS PENDING, ORDER THE IMPOUNDING, ON TERMS THE COURT CONSIDERS TO BE REASONABLE, OF ANY UNLAWFUL TELECOMMUNICATION ~~OR DEVICE OR ACCESS CODE OR UNLAWFUL ACCESS DEVICE~~ THAT IS IN THE CUSTODY OR CONTROL OF THE VIOLATOR AND THAT THE COURT HAS REASONABLE CAUSE TO BELIEVE WAS INVOLVED IN THE ALLEGED VIOLATION OF THIS SECTION;

(III) AWARD DAMAGES UNDER ~~PARAGRAPH (3)~~ PARAGRAPH (4) OF THIS SUBSECTION; OR

~~(IV) IN ITS DISCRETION, AWARD TO AN AGGRIEVED PARTY WHO PREVAILS REASONABLE ATTORNEY FEES AND COSTS, INCLUDING COSTS FOR INVESTIGATION, TESTING, AND EXPERT WITNESS FEES; AND~~

~~(V) AS PART OF A FINAL JUDGMENT OR DECREE FINDING A VIOLATION OF THIS SECTION, ORDER THE REMEDIAL MODIFICATION OR DESTRUCTION OF ANY UNLAWFUL TELECOMMUNICATION ~~OR DEVICE OR ACCESS CODE OR UNLAWFUL~~ ACCESS DEVICE INVOLVED IN THE VIOLATION THAT IS IN THE CUSTODY OR CONTROL OF THE VIOLATOR OR HAS BEEN IMPOUNDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.~~

(3) THIS SUBSECTION MAY NOT BE CONSTRUED TO GRANT THE DISTRICT COURT AUTHORITY TO GRANT RELIEF UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION.

~~(2)~~ (4) (I) DAMAGES AWARDED BY A COURT UNDER THIS SECTION SHALL MAY BE COMPUTED AS:

~~1. ON ELECTION BY THE COMPLAINING PARTY AT ANY TIME BEFORE FINAL JUDGMENT IS ENTERED, ACTUAL DAMAGES SUFFERED BY THE COMPLAINING PARTY AS A RESULT OF THE VIOLATION OF THIS SECTION AND ANY PROFITS OF THE VIOLATOR THAT ARE ATTRIBUTABLE TO THE VIOLATION AND ARE NOT TAKEN INTO ACCOUNT IN COMPUTING THE ACTUAL DAMAGES; OR~~

~~2. ON ELECTION BY THE COMPLAINING PARTY AT ANY TIME BEFORE FINAL JUDGMENT IS ENTERED, AN AWARD OF STATUTORY DAMAGES DETERMINED BY THE COURT, NOT THE JURY, AS THE COURT CONSIDERS JUST, OF:~~

~~A. NOT LESS THAN \$250 AND NOT EXCEEDING \$10,000 FOR EACH UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE INVOLVED IN THE ACTION; OR~~

~~B. IN A CASE OF A WILLFUL VIOLATION OF THIS SECTION COMMITTED FOR PURPOSES OF COMMERCIAL ADVANTAGE OR PRIVATE FINANCIAL GAIN, NOT LESS THAN \$250 AND NOT EXCEEDING \$60,000 FOR EACH UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE INVOLVED IN THE ACTION.~~

(II) IN DETERMINING THE PROFITS OF THE VIOLATOR UNDER SUBPARAGRAPH ~~(I)~~ (I) OF THIS PARAGRAPH: