

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE “A” HERETO,

Defendants.

Case No.: 1:24-cv-06226-GNA

Honorable Georgia N. Alexakis

**PLAINTIFF’S MOTION FOR ENTRY OF CLERK’S DEFAULT AGAINST THE NON-
APPEARING DEFENDANTS IDENTIFIED IN SCHEDULE “A”**

Plaintiff Hong Kong Leyuzhen Technology Co. Limited (“Plaintiff”) hereby moves for entry of clerk’s default pursuant to Federal Rule of Civil Procedure 55(a) (the “Motion”) against certain non-appearing, through the filing of an answer or otherwise responsive pleading, (the “Defaulting Defendants”) identified in Schedule “A”. Plaintiff has specifically excluded from its request for entry of default those Defendants that have settled the claims asserted against them and those Defendants that have formally appeared through counsel of record in this action. A listing of non-appearing Schedule “A” Defendants subject to Plaintiff’s request for entry of default, together with those Schedule “A” Defendants that are excluded from this request, is attached as Exhibit “1” to the supporting Declaration of Shawn A. Mangano (the “Mangano Decl.”) submitted concurrently with this Motion.

DATED: November 25, 2024

Respectfully submitted,

By: /s/ Shawn A. Mangano

Shawn A. Mangano (Bar No. 6299408)

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of November 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Illinois, Eastern Division, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. Notice of this filing is provided to unrepresented parties for whom contact information has been provided via email and by posting the filing on a URL contained on our website <https://blointernetenforcement.com/>, and distributed to ecommerce platform, Temu.

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Defendants.

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Honorable Georgia N. Alexakis

**PLAINTIFF’S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR ENTRY OF
DEFAULT AGAINST THE NON-APPEARING DEFENDANTS IDENTIFIED IN
SCHEDULE “A”**

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. (“Plaintiff”) submits the following memorandum in support of its request for entry of default (the “Motion”) pursuant to Federal Rule of Civil Procedure 55(a) (“Rule 55(a)”) against certain non-appearing, through the filing of an answer or otherwise responsive pleading, identified in Schedule “A”. Plaintiff has specifically excluded from its request for entry of default those Defendants that have settled the claims asserted against them and those Defendants that have formally appeared through counsel of record in this action, which expressly includes those Defendants that have sought or been granted extension of time to response to the operative Complaint (the “Defaulting Defendants”). A listing of non-appearing Schedule “A” Defaulting Defendants subject to Plaintiff’s request for entry of default,

together with those Schedule “A” Defendants that are excluded from this request, is attached as Exhibit “1” to the supporting Declaration of Shawn A. Mangano (the “Mangano Decl.”).

I. INTRODUCTION

Plaintiff’s request for entry of default is straightforward, the Court authorized electronic service of process on the named Schedule “A” Defendants via email as part of issuing a Temporary Restraining Order (the “TRO”) in this matter on August 22, 2024. [Dkt. No. 16]. Plaintiff promptly effectuated service on all named Schedule “A” Defendants and a Return of Service was filed attesting to service having been completed on September 5, 2024. [Dkt. No. 18.]

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A) (“Rule 12(a)(1)(A)”), the Defaulting Defendants had twenty-one (21) days to answer or otherwise respond to Plaintiff’s Complaint in this action. As of the filing of this Motion, eighty-one (81) days have expired since electronic service was effectuated on the Schedule “A” Defendants, which includes the Defaulting Defendants that are the subject of Plaintiff’s Motion. (Mangano Decl. ¶ 5.) To date, none of the Defaulting Defendants have answered or otherwise responded to Plaintiff’s Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default pursuant to Rule 55(a) against the Defaulting Defendants.

II. ARGUMENT

A. JURISDICTION AND VENUE ARE PROPER IN THIS COURT

This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Federal Copyright Act, 17 U.S.C. § 101, et seq., 28 U.S.C. § 1338(a)–(b) and 28 U.S.C. § 1331. [Dkt. No. 1 at 2-3, 5 at 2-3.] Venue is proper in this Court pursuant to 28

U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets business activities toward consumers in Illinois and causes harm to Plaintiff's business within this judicial district. [Dkt. No. 1 at 2-3]; *see also uBID, Inc. v. GoDaddy Grp., Inc.*, 623 F.3d 421, 423-24 (7th Cir. 2010) (without benefit of an evidentiary hearing, plaintiff bears only the burden of making a prima facie case for personal jurisdiction; all of plaintiff's asserted facts should be accepted as true and any factual determinations should be resolved in its favor).

In addition to the foregoing, the Court has determined that it can properly exercise specific personal jurisdiction over the Schedule "A" Defendants, which includes the Defaulting Defendants, in issuing the TRO on August 22, 2024. [Dkt. No. 16]. This determination was confirmed through the Court's issuance of a preliminary injunction on September 10, 2024. [Dkt. No. 25.] Accordingly, it is unquestionable that the Defaulting Defendants are subject to personal jurisdiction in this action.

B. PLAINTIFF HAS MET THE REQUIREMENTS FOR ENTRY OF DEFAULT UNDER RULE 55(a)

Pursuant to Rule 55(a), "when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default." Fed. R. Civ. P. 55(a). Plaintiff clearly meets these requirements.

On July 23, 2024, Plaintiff filed its Complaint in this action. [Dkt. No. 1.] The Defendants were properly served with the Complaint, TRO, all supporting documents via electronic service on September 5, 2024. [Dkt. No. 18.] As such, the Defaulting Defendants had twenty-one (21) days to answer or otherwise respond to Plaintiff's complaint pursuant to Rule 12(a)(1)(A). As of

the filing of this Motion, eighty-one (81) days have expired since electronic service was effectuated on the Schedule “A” Defendants, which includes the Defaulting Defendants that are the subject of Plaintiff’s Motion. (Mangano Decl. ¶ 5.) To date, none of the Defaulting Defendants have answered or otherwise responded to Plaintiff’s Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default pursuant to Rule 55(a) against the Defaulting Defendants.

III. CONCLUSION

Based on the foregoing, Plaintiff respectfully requests that the Clerk of the Court enter default against each of the Defaulting Defendants pursuant to Rule 55(a).

DATED: November 25, 2024

Respectfully submitted,

By: /s/ Shawn A. Mangano
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of November 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Illinois, Eastern Division, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. Notice of this filing is provided to unrepresented parties for whom contact information has been provided via email and by posting the filing on a URL contained on our website <https://blointernetenforcement.com/>, and distributed to ecommerce platform, Temu.

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Honorable Georgia N. Alexakis

**DECLARATION OF SHAWN A. MANGANO IN SUPPORT OF PLAINTIFF'S MOTION
FOR ENTRY OF DEFAULT AGAINST NON-APPEARING DEFENDANTS IDENTIFIED
IN SCHEDULE "A"**

I, Shawn A. Mangano, of the City of Las Vegas, in the State of Nevada, declare as follows:

1. Except as otherwise expressly stated to the contrary, this declaration is based upon my personal knowledge of the following facts and, if called as a witness, I could and would competently testify to the statements made herein.

2. I make this declaration in support of Plaintiff's Motion for Entry of Clerk's Default against the Defendants Identified in Schedule "A" (the "Motion"). The Motion seeks entry of default against those named Defendants that have neither appeared in this action nor reached a settlement with Plaintiff over the company's asserted claims for relief (the "Defaulting Defendants"). According, the Defaulting Defendants do not include named Schedule "A" Defendants that have settled with Plaintiff or Defendants that have entered formal appearances through counsel in this case. Attached hereto as Exhibit "1" is a true and correct copy of a list of the Defaulting Defendants and the excluded other Defendants not subject to Plaintiff's request for entry of default.

3. I am an attorney at law, duly admitted to practice before the Courts of the State of Illinois and the United States District Court for the Northern District of Illinois. I am one of the attorneys for Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. (“Plaintiff”). I make this declaration from my matters within my own knowledge unless stated otherwise.

4. I hereby certify that the Defaulting Defendants have failed to file an answer or other responsive pleading within twenty-one (21) days after being served with the Summons and Complaint in this action as required by Federal Rule of Civil Procedure 12(a)(1)(A).

5. Specifically, all Schedule “A” Defendants were served with copies of the Summons and Complaint via electronic service authorized by the Court on September 5, 2024, which is reflected in the Return of Summons filed in this case. [Dkt. No. 18.] As of the filing of this Motion, eighty-one (81) days have expired since electronic service was effectuated on the Schedule “A” Defendants, which includes the Defaulting Defendants that are the subject of Plaintiff’s Motion. None of the identified Defaulting Defendants have answered or otherwise responded to Plaintiff’s Complaint in this action.

6. My office investigated the infringing activities of the Defaulting Defendants, including attempting to identify their contact information. Our investigation confirmed that the Defaulting Defendants are primarily domiciled in Asia and, more particularly, in either the People’s Republic of China or territory under that government’s control. As such, I am informed and believe that none of the Defaulting Defendants are active-duty members of any branch of the United States armed services.

I declare under penalty of perjury under the laws of the United States of America the foregoing is true and correct.

Executed on November 25, 2024, in Las Vegas, Nevada.

By: /s/ Shawn A. Mangano
SHAWN A. MANGANO, ESQ.

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of November 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Illinois, Eastern Division, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. Notice of this filing is provided to unrepresented parties for whom contact information has been provided via email and by posting the filing on a URL contained on our website <https://blointernetenforcement.com>, and distributed to ecommerce platform, Temu.

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Exhibit 1

Hong Kong Leyuzhen Technology Co. Limited v. The Partnerships and Unincorporated
Associations Identified in Schedule "A" -6226

Plaintiff Requests Clerk's Default Against the Following 113 Non-appearing Defendants	
Defendant No.	Seller's Name
1	ailichengxin
3	Bertclothing
4	BlackBeautystyle
5	ChangYuYang
7	clothessssssss
8	CoCo Modern
9	COMLOV
10	Curvy
11	Dai xuan wei
12	Danao
13	DEFEAL
15	DGYJFS
16	DTA
17	Dxfan
18	EastSea
19	ENVEMOUR
23	Guangzhouyisanlin
26	HaoboFS
27	Huishangyingclothing
28	HXC
32	ImangoFashion
33	JBC
34	Jingyuclimbingboutique
37	Kuan Duo Duo
38	LAZEPLUS
39	Lianshangying
40	LINGDALIN
41	LovelyWholesaleEdgy
42	LUZEMEI
43	LW Sports
44	imangoFashion
45	MeiyouPlus
47	Miquella
50	MSYPLUS
53	Ngan
54	NOBLE PARTY STYLE
58	PLUSSWIM
60	qlqlql
61	RALNBOW
63	RSDZ

Hong Kong Leyuzhen Technology Co. Limited v. The Partnerships and Unincorporated
Associations Identified in Schedule "A" -6226

Plaintiff Requests Clerk's Default Against the Following 113 Non-appearing Defendants	
Defendant No.	Seller's Name
65	TiHnStyle
67	Unicorn Shop
68	WeiXuan
71	Xi he trade
72	XYJ
73	Yashengyi
75	YiShiHui
76	YourFashion
77	yuzixuan
78	YYSY
80	Ahlsem
83	AXWY
85	Basicfit
88	bubusheng
89	cansheng
90	ChicLab A
93	DennisClothing
95	Elegant neighborhood
96	FashionLady
99	Fole
100	FOX CLAW
101	FridayGirl
102	Gong Nian Big Size
103	graceDRESS
105	Hollies
106	Hongqin
107	Jetdream
108	JIMICN
110	kale girl
111	KarleyLeann
112	Lily Fashion
113	Lily Pretty
115	Love Fashion Quality Life
117	maidekuai
118	MeetAccidentally
119	MNSPLusSize
120	MILEYY
123	Nimanya
126	NZ one
127	OLA

Hong Kong Leyuzhen Technology Co. Limited v. The Partnerships and Unincorporated
Associations Identified in Schedule "A" -6226

Plaintiff Requests Clerk's Default Against the Following 113 Non-appearing Defendants	
Defendant No.	Seller's Name
128	OUMANDAMA
130	Qixi boutique clothing
131	Qi Xuan Fashion
132	QKWomens clothing
133	Ricecollar
136	SHIYOUBELLE
138	Shxier
139	Si Le
142	Spring comes with joy
143	SZCH
144	SZCHENHONG
145	Tirkoto
148	weilala
149	WENYIFANS
150	WINONADRESS
151	WYIY
152	XINYISHAN
155	YIKAMAN
156	Yimi Le Clothing
158	Yiyayou
159	YUJIAFUSHI
160	YUZEUFUSHI
162	zoe
164	zyyclothing
165	AAHXC
166	BM Fashion
168	DRESSCODE
170	Huang Xincheng
171	Infashule
172	LiLiT
175	Plus Plus
176	SHE womens fashion
177	YMPLUS

Hong Kong Leyuzhen Technology Co. Limited v. The Partnerships and Unincorporated
Associations Identified in Schedule "A" -6226

20 Defendants Currently Excluded from Plaintiff's Request for Clerk's Default		
No.	Seller's Name	Appeared though Counsel or Pro se
29	Ideally	Appeared through Counsel Xuanjie Wang
35	KAILINNA	Appeared through Counsel Xuanjie Wang
46	Mikaa	Appeared through Counsel Xuanjie Wang
48	Monique Clothing	Appeared through Counsel Xuanjie Wang
49	MPB	Appeared through Counsel Xuanjie Wang
52	Newspeed	Appeared through Counsel Xuanjie Wang
69	XHP	Appeared through Counsel Xuanjie Wang
82	atman devi	Appeared Pro Se
84	AYBeautyfashion	Appeared Pro se
91	Dazzlecubic	Appeared through Counsel Xuanjie Wang
98	FlyBohan	Appeared through Counsel Xuanjie Wang
124	Nuliju	Appeared through Counsel Xuanjie Wang
129	Oumanni	Appeared through Counsel Xuanjie Wang
133	Ricecollar	Appeared Pro se
134	savetage	Appeared Pro Se
140	SIYAQJ	Appeared through Counsel Xuanjie Wang
141	SkyTrade	Appeared through Counsel Xuanjie Wang
154	YAWEIMAN	Appeared through Counsel Xuanjie Wang
157	yingyunzhi	Appeared through Counsel Xuanjie Wang
173	Nice IN	Appeared through Counsel Xuanjie Wang