

**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-07702-LCJ-SMF

Honorable Judge Lindsay C. Jenkins

Magistrate Sheila M. Finnegan

**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: December 9, 2024

Respectfully submitted,

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

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December 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, Aliexpress.

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**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 respond to the operative Complaint (the “Defaulting Defendants”). A list 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 29, 2024. [Dkt. No. 14.] Upon receiving Defendant contact information from the third-party platform, Aliexpress, 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 26, 2024. [Dkt. No. 24.]

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, seventy-four (74) 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 4-8.] 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 4-8]; *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 29, 2024. [Dkt. No. 14.] 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 August 26, 2024, Plaintiff filed its Complaint in this action. [Dkt. No. 1] naming the seventy-five (75) Defendants in this action [Docket 1-2]. The Defendants were properly served with the Complaint, TRO, all supporting documents via electronic service on September 26, 2024. [Dkt. No. 24] 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, seventy-four (74) 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: December 9, 2024

Respectfully submitted,

By: /s/ Shawn A. Mangano

Shawn A. Mangano (Bar No. 6299408)

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Attorneys for Plaintiff

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Honorable Judge Lindsay C. Jenkins

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**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”). Accordingly, 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 seventy-two (72) Defaulting Defendants and the excluded three (3) 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 26, 2024, which is reflected in the Return of Summons filed in this case. [Dkt. No. 24]. As of the filing of this Motion, seventy-four (74) 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 December 9, 2024, in Las Vegas, Nevada.

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

CERTIFICATE OF SERVICE

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Exhibit 1

Hong Kong Leyuzhen Technology Co. Limited v. The Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations Identified in Schedule A
1:24-cv-07702

Plaintiff Requests Clerk's Default Against the Following 72 Non-appearing Defendants	
Defendant No.	Seller's Name
1	A-GEOJIEER Store
2	Atalia Dropshipping Store
3	Barbi Women Store
4	Beautiful baby-Store
5	Bing Manson Store
6	BOQU Store Houma Jifangyuan Trading Co., Ltd.
7	Boutique Women Clothing
8	Caiyi Store
9	Casual & Comfortable Clothes Store
10	CHIC Store
11	CIKINI Official Store
12	Clothes Life Store Store
13	Colonghsou Dthyo Store
14	Fall In Love With You Clothes Store
15	Fashion Women Clothing
16	Fat Large Size Swimsuit Store
17	Fazhifan Fashion Women's Wear Store
18	GG BOND Store
19	Girl Showing Store
20	Goumu Store
21	IDolly's Bag Store
22	Infashion Items Store
23	integrity big's store
24	IOWBFNYS Customize Dropship to Abroad Store
25	Large Size Swimsiut Store
26	LGAH Store
27	LIH HUA Official Store
28	Lipswag Styles Store
29	Lulu Clothing Store
30	Mi You Pin Store
31	Mygirl Newdv Store
32	NIUBI Animal Store
33	Oufisun 53 Store
34	Plus Size Men T-Shirt Store
35	Quanly Store
36	R Y 30 Store
37	RECLOTHINGL Store
38	Reda-mancy Store
39	Sell Everything Dropshipping Store

Hong Kong Leyuzhen Technology Co. Limited v. The Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations Identified in Schedule A
1:24-cv-07702

41	Shining Jewelry Clothes Store Store
42	Shop1100065002 Store
43	Shop1102695911 Store
44	Shop1102723317 Store
45	Shop1102888276 Store
46	Shop1102959698 Store
47	Shop1103014677 Store
48	Shop1103128934 Store
49	Shop1103275282 Store
50	Shop1103312877 Store
51	Shop5246287 Store
52	Shop5248109 Store
53	Shop5830172 Store
54	Shop5879142 Store
55	Shop900235296 Store
56	Shop911259384 Store
57	Shop999999 Store Store
58	SUB 5243272 Store
60	SUWA Chicci Store
61	SYJ Beautiful Clothes Store
63	TES Fashion Store
64	T-Show
65	Urban Outfit Store
66	wbj Fahison Store
67	Xinxu Official Store
68	Yan Qun Store
69	YY Fashion Store
70	Zaran Store
71	ZESTY International Store
72	ZJFZML ZZ Store
73	Ivey Store
74	Little-Fish Store
75	ODFVEBX Store

This chart represents all remaining Defendants in the matter as none of these above Defendants have appeared or otherwise responded to the Complaint.