

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

THE PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE “A” HERETO,

Defendants.

Case No. 1:25-cv-04225-CPK-KLHH

Honorable Charles P. Kocoras

Magistrate Keri L. Holleb Hotaling

**PLAINTIFF’S SECOND *EX PARTE* MOTION
TO EXTEND THE TEMPORARY RESTRAINING ORDER**

Plaintiff HONG KONG LEYUZHEN TECHNOLOGY CO. LTD, (“Plaintiff”), by and through its counsel, the Bayramoglu Law Offices, LLC, submits this second motion to extend the temporary restraining order (“TRO”), entered by this Court on April 25, 2025 [Dkt. No. 18], which was initially extended up to and including May 23, 2025 [Dkt. No. 24], for an additional period of fourteen (14) days up to and including June 6, 2025, to allow the third party platform time to comply with the TRO.

Alternatively, Plaintiff does not object to the Court converting the issued TRO into a preliminary injunction that is appealable but remains effective until the Court adjudicates any forthcoming motion for preliminary injunction with notice filed by plaintiff. Such application is based upon this motion, memorandum in support of the motion, the Declaration of Katherine M. Kuhn (the “Kuhn Decl.”) filed herewith, and any argument of counsel entertained by the Court.

DATED: May 20, 2025

Respectfully submitted,

By: /s/ Joseph W Droter

Joseph W. Droter (Bar No. 6329630)

BAYRAMOGLU LAW OFFICES LLC

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of May 2025, 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.

Respectfully submitted,

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Honorable Charles P. Kocoras

Magistrate Keri L. Holleb Hotaling

**MEMORANDUM IN SUPPORT OF PLAINTIFF’S
SECOND EX PARTE MOTION TO EXTEND THE TRO**

Plaintiff HONG KONG LEYUZHEN TECHNOLOGY CO. LTD, (“Plaintiff”), by and through its counsel, the Bayramoglu Law Offices, LLC, submits this Memorandum in Support of its Second *ex parte* Motion to Extend Temporary Restraining Order (the “Motion”). In support of this Motion, Plaintiff states as follows:

I. INTRODUCTION

Plaintiff seeks a second extension of the Temporary Restraining Order (“TRO”) issued by this Court on April 25, 2025 [Dkt. 18] and extended up to and including May 23, 2025 [Dkt. No. 24], to provide the designated third-party platform, Alibaba, (the “Platform”) with additional time to comply with the TRO and respond to Plaintiff’s expedited discovery requests. Pursuant to Fed. R. Civ. P. Rule 65(b), the Court may extend a temporary restraining order for a period not to exceed fourteen (14) days upon a showing of good cause. This Court and other courts in the Seventh Circuit have found good cause to extend a TRO beyond 28 days, which effectively converts the TRO into a preliminary injunction that is appealable until the adjudication of any forthcoming

motion for preliminary injunction, where service and expedited discovery responses from third-party platforms remain pending.

In this case, Plaintiff worked diligently to subpoena the Platform - providing notice of the TRO and subpoena with requests for production. Upon finally acknowledging receipt of the TRO and subpoena, the Platform presented Plaintiff with a list of demands before they would begin processing the TRO, which included a \$40 per defendant processing fee. (Declaration of Katherine M. Kuhn (the “Kuhn Decl.”) ¶ 8.) Due to the pressing need for obtaining Defendants’ email addresses so they could be provided with notice of these proceedings prior to expiration of the TRO and anticipated motion for entry of a preliminary injunction, Plaintiff complied with the Platform’s requests and remitted payment.

Since that time, however, and despite Plaintiff’s repeated demands for compliance with the Court’s Orders, the Platform still has not produced Defendants’ identification and contact information. Without an extension of the TRO beyond 28 days, which converts into a preliminary injunction, the possibility of harm to Plaintiff remains significant because Defendants will learn of these proceedings, abandon their storefronts on the Platform and on other third-party platforms, transfer their assets to offshore accounts outside of the jurisdiction of this Court, and frustrate the purpose of the law and Plaintiff’s ability to obtain its requested relief. For these reasons, Plaintiff seeks extension of the TRO beyond the 28-day period, which effectively converts the TRO into a preliminary injunction that is appealable, until the Court adjudicates any forthcoming motion for preliminary injunction.

On April 24, 2025, Plaintiff filed its Motion for *ex parte* Temporary Restraining Order including a Temporary Injunction, a Temporary Asset Restraint, Expedited Discovery, and Service Of Process By E-Mail and/or Electronic Publication [Dkt. Nos. 13, 15]. (Kuhn Decl. ¶ 4.) The

Court granted Plaintiff's motion and issued the TRO on April 25, 2025 [Dkt. 18] for a period of fourteen (14) days which was set to expire on May 9, 2025. (*Id.* ¶ 5.). Plaintiff filed a Motion to Extend the TRO on May 6, 2025 [Dkt. No. 21]. The Court granted Plaintiff's Motion to Extend the TRO on May 8, 2025 [Dkt. No. 24] and extended the TRO for an additional fourteen (14) days which is currently set to expire on May 23, 2025. (Kuhn Decl. ¶ 6).

The Platform first acknowledged receipt of the TRO in an email on May 6, 2025, in which it made a list of onerous demands prior to processing the requests for information. (*Id.* ¶ 7.) To begin processing the TRO, the Platform demanded: 1) the Complaint; 2) screenshots of all allegedly infringing products showing a complete add-to- cart process that is date stamped; 3); images for all copyrighted works at issue; 4) a specific URL where notice of court documents are provided; 5) a seller spreadsheet showing the defendant sellers identified in Schedule A, the store name, store URL, and URL to the infringing product; and 6) payment of a \$40 per defendant "processing fee." (*Id.* ¶ 8.)

Plaintiff has promptly complied with each request made by the Platform and paid the "processing fee" May 13, 2025. (*Id.* ¶ 9.) Yet, at the time of this submission, the Platform has yet to comply with the court-ordered requests for information and has instead resorted to dilatory tactics in processing the required information. (*Id.* ¶ 9.).

II. ARGUMENT

Pursuant to Fed. R. Civ. P. 65(b)(2), a temporary restraining order entered without notice expires fourteen (14) days after entry unless the Court finds good cause to extend the TRO prior to its expiration. Courts in the Seventh Circuit have found good cause to extend the TRO where Plaintiff's efforts to effectuate service and procure expedited discovery responses remain pending. *See H-D Michigan, LLC v. Hellenic Duty Free Shops S.A.*, No. 2:11-CV-00742, 2011 WL

4368418, at *1 (E.D. Wis. Sept. 19, 2011) (the court granted motion to extend temporary restraining order to effectuate service); *loanDepot.com, LLC v. Schneider*, 647 F. Supp. 3d 620, 627 (N.D. Ill. 2022) (granting extensions of temporary restraining order for expedited discovery). The Court is also authorized to extend an *ex parte* temporary restraining order beyond the 28-day limit set forth in Rule 65(b)(2) for good cause if it converts the restraining order into a preliminary injunction. See *H-D Michigan, LLC v. Hellenic Duty Free Shops S.A.*, 694 F.3d 827, 844-45 (7th Cir. 2012); *Chicago United Indus., Ltd. v. City of Chicago*, 445 F.3d 940, 943 (7th Cir. 2006); see also *Hangzhou Aoshuang E-Commerce Co., Ltd. v. oo8Fashion, et al.*, 2020 WL 11401648, at *3 (N.D. Ill. Aug. 10, 2020). Because the extension exceeds the maximum duration for a TRO under Fed.R.Civ.P. 65(b), the extension "becomes in effect a preliminary injunction that is appealable, but the order remains effective" until the Court adjudicates any forthcoming motion for preliminary injunction with notice filed by plaintiff. *Id.* at 844.

Here, Plaintiff does not object to the Court converting the issued TRO into a preliminary injunction to comply with the above cited authorities in view of the 28-day time limitation set forth in Rule 65(b)(2). In this regard, the Court is reminded that Plaintiff's request to extend the issued injunctive relief is only required because the third-party platform has failed to provide it with the email addresses associated with the named Schedule "A" Defendants – together with taking any other action to comply with the requirements of the TRO of the associated subpoena authorized to be issued. Absent these email addresses being provided by the third-party platform, Plaintiff has no reasonable means of effectuating service of process on the named Schedule "A" Defendants in this action. Thus, Plaintiff is stuck in a bizzarro world wherein it cannot proceed with a noticed request justifying an extension of the Court's TRO, or for entry of a preliminary injunction, when the third-party platform compelled to produce information to effectuate such notice on Defendants

is engaged in recalcitrant and dilatory conduct despite receiving an \$40 per Defendant payment for “processing fees,” among other requests from the Platform related to compliance with the TRO.

Accordingly, not only is Plaintiff’s request for a second extension warranted, but it is also further supported by similar actions have been taken by Judge Kendall, Judge Kennelly, and Judge Pacold in other pending actions involving the company’s copyright enforcement efforts against infringers on various online platforms.¹

III. CONCLUSION

Based on the foregoing, Plaintiff respectfully requests the Court convert the TRO into a preliminary injunction pending receipt of information from the third-party platform necessary to effectuate electronic service of process, as authorized under the TRO, provide such notice to the named Schedule “A” Defendants, submit any renewed or supplemental briefing in support of its request for entry of a preliminary injunction with notice, and a hearing can be conducted in this matter. Plaintiff’s request is fully supported by the above cited authorities and is warranted by the facts presented in this action. Accordingly, the Court should grant Plaintiff’s request.

DATED: May 20, 2025

Respectfully submitted,

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¹ See *XYZ Corporation v. The Individuals, et al.*, Case No. 1:24-cv-01807 [Dkt. No. 34] (May 6, 2024 Kendall, J.); *XYZ Corporation v. The Individuals, et al.*, Case No. 1:24-cv-02939 [Dkt. No. 54] (May 22, 2024 Kennelly, J.); *XYZ Corporation v. The Individuals, et al.*, Case No. 1:24-cv-03210 [Dkt. No. 43 ¶ 3] (June 4, 2024 Pacold, J.).

CERTIFICATE OF SERVICE

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Defendants.

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Honorable Charles P. Kocoras

Magistrate Keri L. Holleb Hotaling

**DECLARATION OF KATHERINE M. KUHN, ESQ. IN SUPPORT OF PLAINTIFF’S
SECOND *EX PARTE* MOTION TO EXTEND TEMPORARY RESTRAINING ORDER**

I, Katherine M. Kuhn, of the City of Chicago, in the State of Illinois, 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 Second *ex parte* Motion to Extend Temporary Restraining Order (the “Motion”).

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 HONG KONG LEYUZHEN TECHNOLOGY CO. LTD (“Plaintiff”). I make this declaration from my matters within my own knowledge unless stated otherwise.

4. Plaintiff filed its Motion for *ex parte* Temporary Restraining Order (“TRO”) including a Temporary Injunction, a Temporary Asset Restraint, Expedited Discovery, on April 24, 2025 [Dkt. No. 15].

5. The Court granted Plaintiff's motion and issued a signed, sealed TRO on April 25 [Dkt. No. 18] for a period of fourteen (14) days which was set to expire on May 9, 2025.

6. Plaintiff filed a Motion to Extend the TRO on May 6, 2025 [Dkt. No. 21] The Court granted Plaintiff's Motion to Extend the TRO on May 8, 2025 [Dkt. No. 24] and extended the TRO for an additional fourteen (14) days which is currently set to expire on May 23, 2025. [*Id.*].

7. The designated third-party online sales platform (the "Platform") first acknowledged receipt of the TRO in an email dated May 6, 2025, in which it made a list of onerous demands prior to processing the requests for information.

8. To begin processing the TRO, the Platform demanded: 1) the Complaint; 2) screenshots of all allegedly infringing products showing a complete add-to- cart process that is also date stamped; 3) all copyrighted works at issue; 4) a specific URL where notice of court documents are provided; 5) a seller spreadsheet showing the defendant sellers identified in Schedule A, the store name, store URL, and URL to the infringing product; and 6) a payment of a \$40 per defendant "processing fee."

9. Plaintiff has promptly complied with each request by the Platform with and paid the requested "processing fees" on May 13, 2025. Despite this repeated compliance efforts, the time of this submission, the Platform has yet to comply with the court-ordered requests for information and has instead resorted to dilatory tactics to delay processing and producing the required information.

10. Without extension of TRO to allow Plaintiff time to receive emails to effectuate service, ensure the Platform's compliance with the TRO, and receive expedited discovery from the Platform, there is a high probability that the Defendants will learn of these proceedings, close their

seller accounts, and transfer their assets to off-shore bank accounts outside of the jurisdiction of this Court.

11. For these reasons and those stated in Plaintiff's Memorandum in Support of the Motion for TRO [Dkt. No. 15], there is a high probability that Plaintiff will suffer immediate and irreparable injury, loss, or damage if the TRO is not extended for an additional fourteen (14) days.

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

Executed on May 20, 2025 in Chicago, Illinois.

Respectfully Submitted,

By: /s/ Katherine M. Kuhn
KATHERINE M. KUHN, ESQ.

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of May 2025, 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.

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