

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Shenzhen Dejiayun Network  
Technology Co., Ltd., a Chinese  
Corporation

Case: 0:23-cv-62275-WPD

Judge: William Dimitrouleas

Plaintiff,

v.

The Partnerships And  
Unincorporated Associations  
Identified On Schedule “A”

Defendants.

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**DECLARATION OF LYDIA PITTAWAY IN SUPPORT OF  
PLAINTIFF’S MOTION FOR ENTRY OF FINAL DEFAULT JUDGMENT**

I, Lydia Pittaway, declare and state as follows:

1. I am an attorney duly authorized and licensed to practice before all courts in the State of Florida and the Southern District of Florida. I am counsel of record for Plaintiff, Shenzhen Dejiayun (“Dejiayun” or “Plaintiff”), in the above captioned action. I submit this Declaration, which is filed in support of Plaintiff’s Motion for Entry of Final Default Judgment against Defendant (No. 21) LUKISUZY identified in the Schedule A (D.E. 8-2) of the Complaint (“Defaulting Defendant”). I am personally knowledgeable of the matters set forth in this Declaration and, if called upon to do so, I could and would competently testify to the following facts set forth below.

2. Plaintiff filed its Complaint on November 30, 2023 in order to combat the willful and intentional counterfeiting and infringement and false designation of origin by the Defendants

marketing, offering for sale, and advertising with its federally registered BAGILAANOE trademark. (D.E. 1 at ¶ 3).

3. On January 8, 2024, in order to facilitate the investigation of its claims and the identity and location of Defendants, Plaintiff moved for an order permitting expedited discovery. (D.E. 10). The Court granted the motion and authorized expedited third-party discovery on January 17, 2024. (D.E. 16). On January 9, 2024, Plaintiff moved for an order permitting electronic service of process. (D.E. 12). On the same day, this Court entered an order Authorizing Electronic Service of Process (D.E. 14), permitting Plaintiff to serve the Summonses, Complaint, and filings in this matter upon Defendants via electronic mail (“e-mail”) and via Plaintiff’s designated serving notice website by posting copies of the same on the Internet website appearing at the URL at <http://fordbanister.info/23-cv-62275/>.

4. On January 8, 2024, Plaintiff also moved for a temporary restraining order (D.E. 9). On January 9, 2024, this Court granted the motion for a temporary restraining order by sealed order. (D.E. 13). On January 17, 2024, Plaintiff filed its *Ex Parte* Application to Extend Temporary Restraining Order. (D.E. 17). On the same day, this Court granted Plaintiff’s motion for extension of a temporary restraining order for fourteen additional days. (D.E. 18).

5. On January 29, 2024, Plaintiff filed its Motion for Preliminary Injunction. (D.E. 20). On January 30, 2024, Plaintiff served Defendants, Defaulting Defendant excluded, with the Preliminary Injunction and the corresponding notice of hearing. (D.E. 21). Defaulting Defendant was excluded as a result of the e-commerce platform’s late production of discovery. On February 1, 2024, this Court granted Plaintiff’s Motion for Preliminary Injunction as to each Defendant exempt Defaulting Defendant. (D.E. 24).

6. The Temporary Restraining Order and Preliminary Injunction required, inter alia, third-party payment processors including, but not limited to Payoneer and Walmart and their related companies and affiliates, to identify and restrain all funds in Defendants' associated payment accounts, including all related financial accounts tied to, used by, or that transmit funds into, the respective Defendants' financial accounts, and divert those funds to a holding account for the trust of the Court. Subsequently, my firm received notice from the third-party processors that it complied with the requirements of the Court's Orders.

7. On February 15, 2024, pursuant to the Court's Order, Plaintiff served Defaulting Defendant with its respective Summons and a copy of the Complaint via email service and website posting. (D.E. 28).

8. The time allowed for Defaulting Defendant to respond to the Complaint has expired.

9. To date, Defaulting Defendant has not filed any responsive pleadings to the Complaint, has not requested an enlargement of time to respond to the Complaint, nor has Defaulting Defendant entered a formal appearance pro se or by counsel on their behalf.

10. I am informed and believe that none of the Defaulting Defendant is not infant or incompetent person, and, upon information and belief, the Servicemembers Civil Relief Act does not apply.

11. On March 11, 2024, Plaintiff filed its Motion for Clerk's Entry of Default as to the Defaulting Defendant. (D.E. 39). On the same day, the Clerk of Court entered default under Fed.R.Civ.P. 55(a). (D.E. 40).

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

Executed the 20th of March, 2024, at Fort Pierce, Florida.

Signature: Lydia Pittaway

Affiant: Lydia Pittaway