

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

YIWU BAIMEI ELECTRONIC)	
COMMERCE CO., LTD.,)	
)	
Plaintiff,)	Case: 24-cv-8139
)	
v.)	Hon. Steven C. Seeger
)	
THE PARTNERSHIPS AND)	
UNINCORPORATED ASSOCIATIONS)	
IDENTIFIED ON SCHEDULE A,)	
)	
Defendants.)	
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ORDER GRANTING EXPEDITED THIRD PARTY DISCOVERY, ELECTRONIC SERVICE OF PROCESS, AND TO UNSEAL FILINGS

Plaintiff Yiwu Baimei Electronic Commerce Co., Ltd., (hereinafter, “Plaintiff” or “Baimei”) filed an *ex parte* Motion to Unseal (Dckt. No. 10), an *ex parte* Motion for Expedited Third-Party Discovery (Dckt. No. 12), and an *ex parte* Motion for Electronic Service of Process Pursuant to Federal Rule of Civil Procedure 4(f)(3) (Dckt. No. 13) (the “Motions”) against the defendant identified in Schedule A (Dckt. No. 9). After reviewing the Motion and the accompanying record, the Court GRANTS Plaintiff’s Motions in part as follows.

This Court finds, in the absence of adversarial presentation, that it has personal jurisdiction over Defendant because Defendant directly targets its business activity toward consumers in the United States, including Illinois. Specifically, Defendant is reaching out to do business with Illinois residents by operating one or more commercial, interactive internet stores through which Illinois residents can purchase products bearing and/or sold under Plaintiff’s photography series “Hollow Halloween Works,” (hereinafter, “the Hollow Halloween Works”), which is recognized

as a registered copyright in the United States with assigned U.S. Copyright Registration Nos. VA 2-270-357, VA 2-270-532, VA 2-270-548, VA 2-270-545, VA 2-270-544, VA 2-270-547, VA 2-270-546, and VA 2-265-759.

This Court also finds that issuing this Order without notice pursuant to Rule 26(d)(1) of the Federal Rules of Civil Procedure is appropriate because Plaintiff has presented specific facts in support of the Motion clearly showing that Plaintiff will be otherwise unable to properly serve Defendant without the requested leave. Specifically, the Declaration of Jun Wu (Dckt. No. 10) and its accompanying evidence (Dckt. No. 10-3), as well as the Declaration of Lydia Pittaway (Dckt. No. 14), substantiate these facts. An *ex parte* Order for discovery of Defendant's financial accounts and email addresses is necessary so that Defendant can be served with notice to conserve judicial resources and proceed to the merits of this case. Accordingly, this Court orders that:

1. Plaintiff is authorized to issue expedited written discovery to Defendant, pursuant to Federal Rules of Civil Procedure 33, 34, and 36, related to:
 - a. the identities and locations of Defendant, its officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with it, including all known contact information and all associated e-mail addresses;
 - b. the nature of Defendant's operations and all associated sales, methods of payment for services, and financial information, including, without limitation, identifying information associated with the Defendant Internet Store and Defendant's financial accounts, including Defendant's sales and listing history related to its respective Defendant Internet Store; and
 - c. any financial accounts owned or controlled by Defendant, or by its officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation

with it, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, eBay (“eBay”), or other merchant account providers including but not limited to LianLian Global, LL Pay U.S., LLC, and Lianlian Yintong Electronic Payment Co. Ltd. (“LianLian”), Paypal, Stripe, and PingPong, and its related companies and affiliates (collectively, the “Third Party Providers”), payment providers, and credit card associations (e.g., MasterCard and VISA).

2. The Court authorizes Plaintiff to serve third-party discovery, with responses due not less than fourteen (14) days after service. The requests shall be proportional to the immediate needs of the case. *See* Fed. R. Civ. P. 26(b)(1). For example, a request for “documents sufficient to show X” is better than a request for “all documents showing X.” Plaintiff shall consider what documents it genuinely needs at this early stage and shall take into account the burden on third parties. Plaintiff shall work cooperatively with third parties impacted by this Order and make reasonable, good faith efforts to ease the burdens imposed by Plaintiff’s request for expedited discovery.

3. Plaintiff may provide notice of these proceedings to third parties by delivery of this Order and other relevant documents to the Online Marketplace platforms and/or Third-Party Service Providers by email.

4. Plaintiff may provide notice of the proceedings in this case to Defendant by electronically publishing a link to the Complaint, this Order, and other relevant documents on a website and by sending an e-mail with a link to said website to any e-mail address provided by third parties associated with Defendant identified in Schedule A.

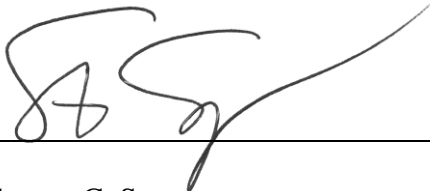
5. The Clerk of the Court is directed to issue a single original summons in the name of “createhiu”. The combination of providing notice via electronic publication and e-mail, along with any notice that Defendant receives from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendant of the pendency of the action and afford it the opportunity to present its objections.

6. This Order shall apply to the Seller ID, associated ecommerce stores and websites, and any other seller identification names, e-commerce stores, domain names, websites, or financial accounts which are being used by Defendant for the purpose of infringing the Hollow Halloween Works at issue in this action and/or unfairly competing with Plaintiff.

7. Plaintiff shall serve copies of the Complaint and this Order on Defendant by e-mail via their corresponding e-mail address and/or online contact form or other means of electronic contact provided on the Internet based e-commerce stores operating under the respective Seller IDs or by providing a copy of this Order by email to the marketplace platforms for each of the Seller IDs so that the registrar, or marketplace platform, in turn, notifies Defendant of the Order, or by other means reasonably calculated to give notice which is permitted by the Court. The Plaintiff shall continue to provide notice of these proceedings and copies of the documents on file in this matter to Defendant by regularly updating the designated website, or by other means reasonably calculated to give notice which is permitted by the Court.

8. The Clerk shall unseal the documents located at Dckt. No. 4 and Dckt. No. 9 until further order of the Court.

Date: December 3, 2024

A handwritten signature in black ink, appearing to read "S. Seeger", is written over a horizontal line.

Steven C. Seeger
United States District Judge

SCHEDULE A

Def. No.	Platform	Store Name	Store URL
1	eBay	createhiu	https://www.ebay.com/usr/createhiu?_trksid=p2047675.m3561.12559