

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 21-61332-CIV-RUIZ**

CHANEL, INC.,

Plaintiff,

vs.

THE INDIVIDUALS, BUSINESS ENTITIES,
AND UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A,”

Defendants.

**DECLARATION OF STEPHEN M. GAFFIGAN IN SUPPORT OF PLAINTIFF’S
EX PARTE MOTION TO EXTEND TEMPORARY RESTRAINING ORDER
AND TO CONTINUE HEARING SCHEDULED IN CONNECTION
WITH MOTION FOR PRELIMINARY INJUNCTION**

I, Stephen M. Gaffigan, declare and state as follows:

1. I am an attorney for Plaintiff, Chanel, Inc. (“Chanel” or “Plaintiff”), in the above captioned action. I submit this declaration in support of Plaintiff’s *Ex Parte*¹ Motion to Extend Temporary Restraining Order Dated July 2, 2021 and to Continue Hearing Scheduled for July 13, 2021 (the “Motion to Extend”). 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.

¹ Plaintiff has yet to provide Defendants with notice of this action, and as such, is submitting the Motion to Extend and supporting declaration *ex parte*. Specifically, on July 2, 2021, the Court issued a Sealed Order Granting *Ex Parte* Application for Entry of Temporary Restraining Order (the “Sealed Temporary Restraining Order”); however, because the relief ordered therein has not been effectuated, Plaintiff has yet to provide Defendants with notice of this action. The Motion to Extend makes reference to Plaintiff’s *Ex Parte* Application and the Court’s Sealed Temporary Restraining Order, and as such, Plaintiff seeks to prevent premature disclosure of both the *Ex Parte* Application and the Order granting same. Therefore, upon providing Defendants with notice of the Sealed Temporary Restraining Order, Plaintiff will also provide Defendants with a copy of the Motion to Extend.

2. On June 29, 2021, Plaintiff filed its *Ex Parte* Application for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets (“Plaintiff’s *Ex Parte* Application”) against Defendants, the Individuals, Business Entities, and Unincorporated Associations Identified on Schedule “A” thereto (“Defendants”) [ECF No. 6].

3. On July 2, 2021, the Court issued a Sealed Temporary Restraining Order which granted Plaintiff’s *Ex Parte* Application and scheduled a telephonic hearing on Plaintiff’s Motion for Preliminary Injunction for July 13, 2021, at 9:30 a.m. to allow Defendants and/or any other affected persons to challenge the appropriateness of the Sealed Temporary Restraining Order and move to dissolve the same, and also to hear argument in connection with Plaintiff’s request for entry of a preliminary injunction.

4. The Sealed Temporary Restraining Order remains in effect until the date for the hearing on the Motion for Preliminary Injunction, or until such further dates as set by the Court or stipulated to by the parties (Sealed Temporary Restraining Order at p. 15, Para. 14).

5. The Sealed Temporary Restraining Order requires Plaintiff to serve a copy of the Complaint, Plaintiff’s *Ex Parte* Application, and the Sealed Temporary Restraining Order, on each Defendant 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, photo albums, and websites operating under the respective Seller IDs and Subject Domain Names, or by providing a copy of the Sealed Temporary Restraining Order by e-mail to the marketplace platform, social media website, image hosting website, or the registrar of record for each of the Seller IDs and Subject Domain Names so that the marketplace platform, social media website, image hosting website, and registrar, in turn, notifies each of the Defendants of the Sealed Temporary Restraining Order, or by other means reasonably calculated to give notice which is

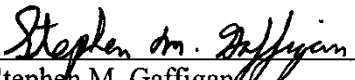
permitted by the Court (Sealed Temporary Restraining Order at pp. 15-16, Para. 17). Additionally, the Sealed Temporary Restraining Order requires Plaintiff to post copies of the Complaint, Plaintiff's *Ex Parte* Application, the Sealed Temporary Restraining Order, and all other pleadings and documents filed in this action on the website located at <http://servingnotice.com/cp05e/index.html>, and provide the website address to Defendants via e-mail/online contact form. (*Id.*) However, before Plaintiff can proceed with service of the Sealed Temporary Restraining Order on Defendants, Plaintiff must receive confirmation from the financial institutions that the financial accounts owned by Defendants have been restrained. (*Id.*)

6. My firm received a copy of the Sealed Temporary Restraining Order on July 7, 2021, and following receipt, sent the Sealed Temporary Restraining Order out for service upon the financial institutions. However, pursuant to the terms of the Sealed Temporary Restraining Order, the financial institutions have five (5) business days from the date of being served with the Sealed Temporary Restraining Order within which to restrain the accounts at issue and provide Plaintiff with confirmation of said restraint.

7. As of the submission of this Declaration, my firm has not received confirmation from all of the financial institutions that the Sealed Temporary Restraining Order has been processed and the accounts at issue restrained. As such, Plaintiff has been unable to serve Defendants, and, therefore, has yet to provide notice of the Sealed Temporary Restraining Order, associated response deadlines, and the July 13, 2021 hearing date.

8. This is the first request for an extension of the Sealed Temporary Restraining Order and the continuance of the hearing in this matter, and no party will be prejudiced by the granting of same.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed the 9th day of July, 2021, at Hollywood, Florida.



Stephen M. Gaffigan