

CEASE AND DESIST LETTER

Dated: 21st July 2020

To: Yi Li
10423 Valley Blvd,
Unit G, El Monte,
CA 91731, USA
roseus91775@yahoo.com

REF: CEASE AND DESIST LETTER PERTAINING TO USING IDENTITY
WITHOUT PERMISSION

Without prejudice

Dear Ms. Yi Li,

I hope this letter finds you well. I am writing this letter on behalf of my client **Sifei Wen** (hereinafter to be referred as "**Client**"), with regards to apprise you about the illegal activities, privacy infringement and violations going on under the very nose of *www.cellistsifeiwen.com* and under the Company managed by you i.e. **Merano Cultural Performances** and to **CEASE AND DESIST** you from promoting and allowing to promote the cybercrime, privacy infringement, copyright infringement and identity theft violations by your backend support in regards to the content that has been published on the above mentioned website, by you with the intention of generating revenue.

The objective of this Notice is to inform you that, the content has been uploaded without the consent of my Client and we fully reserve the rights over the content uploaded by you on the website and you are also accountable for the identity theft of my client. We hereby, want to bring this to your attention that this is grave breach of my client's interest and her rights.

It is pertinent and most significant to mention here that according to the **1998 Identity Theft and Assumption Deterrence Act** (hereinafter to be referred as "**the Act, 1998**") and **The 2004 Identity Theft Penalty Enhancement Act** (hereinafter to be referred as "**the Act, 2004**"), you are in clear breach of the rights of my Client. According to the **Section 1028 of the Act, 1998**, identity theft has been declared as a crime, please see below for reference:

"knowingly transfer or use, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity that constitutes a violation of federal law, or that constitutes a felony under any applicable state or local law."

In order to bring this to your attention, this offense, in most circumstances, carries a maximum term of 15 years' imprisonment, a fine, and criminal forfeiture of any personal property used or intended to be used to commit the offense. Thereby, you are violating his rights associated with the content that has been uploaded on the abovementioned website in this letter.

Since, you are aware of the fact, that previously my client gave you have a warning regarding the removal of the entire content, but the same was not adhered by you. It is

pertinent to notify that this is the last time we are giving you the final intimation, to refrain from such activities in future. Any breach of my client's rights shall not be tolerated by us in any regards.

Copyright infringement and Cybercrime are a strict liability offense, and you are in the present situation responsible for any infringing act regardless of intent. I am willing to provide you an opportunity on behalf of my Client to settle these claims for US \$15,000. This amount represents an offer of settlement but does not reflect the damages I may seek in a court proceeding, including attorneys' fees pursuant to **17 USC §§ 505 and 1203**. Instead, this settlement offer reflects what we will accept if no further actions against you are necessary. If you do not accept this offer, then I reserve the right to seek the maximum available damages under the law, which far exceed this amount.

It is to inform you that according to **US Criminal Law Malicious Representation** is a crime and is strictly punishable under the Laws of USA. You have maintained a website with my Client's details and side by side you have used the name of my client and hired her as one of your employees at your Company from January 2020 - march 2020, while she was not even informed about the entire process of hiring, neither was she providing any sort of services to you or your company, and by fraudulently handling all this without my client's consent, which is stringently punishable under the Civil Procedure Laws of USA. Not only this, but sharing personal information of my client with the public or third parties shall not be tolerated at any cost. This actions gives us the

right to seek damages from you. Therefore, it is to notify you to refrain from such acts in future.

Furthermore, you have gravely damaged the reputation of my Client's business, by uploading low quality videos, images and audios on your website, that too without her consent, which is not tolerable, as this is directly effecting my client's mental and financial growth. While my client has no association with your website, neither is she receiving any sort of revenue from your website, then collecting donations on her name is also illegal and another form of crime i.e. Fraud and Financial Crimes. It is requested to immediately bring this business and the website down, otherwise, we shall take action against it.

Hence, it now clear that you are in clear breach of my Client's rights associated along with the content. That, IT IS SOLELY YOUR RESPOSIBIITY TO KEEP THE CHECK ON SUCH ACTIVITIES AND STOP SUCH ACTIVITIES IN ORDER TO MAKE SURE THAT THE INTELLECTUAL PROPERTY RIGHTS OF MY CLIENT ARE BEING PROTECTED.

Summary of Claims and Damages

I hereby demand you that:

- 1) To immediately take down the content from your official website being used with the name of my client (www.cellistsifeiwen.com). In case of non-compliance with this, we reserve the right to take serious action against you.

- 2) To instantaneously bring the above-mentioned down with the domain name of client and refrain from such activities in future.
- 3) Not to enter into any sort of activity with any third parties for generating revenue without letting my client have knowledge about it.
- 4) To instantly reveal all the revenue statements that have been generated in the name of my client.
- 5) To immediately reimburse my client for the damages i.e. US \$15,000, that have been caused to her business and her mental health by your illegal and illicit activities.

Please be mindful of the fact that failure to comply with this notice will confirm your complicity and leave us no other alternative but to proceed to file a civil action suit against you (for entering into such activities) and seeking monetary damages and compensation for court and attorney's fees incurred as a direct result of your unlawful actions of cybercrime and identity theft violations.

It is not our wish to seek legal recourse; however, we vehemently do all that is necessary to protect our work from getting exploited at your hosting site. Please note that this letter will be only request and simultaneously a warning we will provide. Therefore, you are hereby requested to immediately CEASE AND DESIST from infringement of my Client's rights.

Be advised that if you are unwilling to resolve this matter in an amicable way as noted above, we may initiate formal litigation at any time without further notice to you.

CEASE AND DESIST LETTER

To ensure compliance with this letter, and to halt any legal action I may take against you, I require you to fill in and sign the attached form and mail it back to me within 10 days of your receipt of this letter. Failure to do so will act as evidence of your infringement upon my legal rights, and I will immediately seek legal avenues to remedy the situation.

We will appreciate your timely response.

Yours sincerely,



Noor Aziz

(Attorney at Law)

CEASE AND DESIST COMPLIANCE AGREEMENT

I, _____ do hereby agree to stop the illegal identity theft and copyright infringement activities, which are in violation of Sifei Wen’s rights. I understand that this is my final chance to cease these activities. I understand that Sifei Wen potentially has the right to pursue legal action against me relating to my engagement in these activities, but you will not pursue those rights in contemplation of my compliance with this written demand.

I understand that this agreement is not specifically limited to the activities named herein. I will not engage in any activity now or in the future done that will be against the rights of Sifei Wen. I furthermore agree not to engage in any activity, regardless of its official title, that is done in violation of your legal rights. If I fail to cease performing these activities, you may pursue legal action against me in accordance to your legal rights.

This agreement represents the entire agreement between the parties.

Date: _____

Name: _____

Signature: _____

NA LAW FIRM
ADVOCATE NOOR AZIZ

NA LAW FIRM

Building 1536, South Road, D-12/1, Islamabad, Email:

nooraziz1005@gmail.com

**FINAL INTIMATION LETTER FOR CEASE AND DESIST**Dated: 7th August, 2020

To: Yi Li
10423 Valley Blvd,
Unit G, El Monte,
CA 91731, USA
roseus91775@yahoo.com

**REF: FINAL INTIMATION LETTER PERTAINING TO ILLEGAL
ACTIVITIES AGAINST SIFEI WEN**

This FINAL INTIMATION & CEASE AND DESIST ORDER is to inform you that your persistent actions including but not limited to continuance of illegal activities, infringing the privacy of Sifei Wen hereinafter to be referred as "my Client") and not returning the acknowledgement letter attached with the previous Cease and Desist that was dated 21st July, 2020.

IF YOU DO NOT CEASE AND DESIST FROM THE ACTIONS MENTIONED IN THIS LETTER, WE WILL IMMEDIATELY TAKE LEGAL RECOURSE AGAINST YOU.

It is to be intimidated through this letter, that this shall be considered as the Final Intimation Letter before proceeding with any Legal proceedings. Your actions have now become unbearable for my Client. You are **ORDERED TO STOP** such activities **AND RETURN THE SIGNED ACKNOWLEDGEMENT ATTACHED HEREWITH**, immediately as they are being done in violation of the law. My Client has the right to remain free from these activities as they constitute harassment and breach of her rights, and I will pursue any legal remedies available to my Client on behalf of her, against you if these activities continue and the acknowledgement letter is not received by my Client within 7 days of this letter being received.



NA LAW FIRM
ADVOCATE NOOR AZIZ

NA LAW FIRM

Building 1536, South Road, D-12/1, Islamabad, Email:

nooraziz1005@gmail.com



These remedies include but are not limited to: contacting law enforcement to obtain criminal sanctions against you, and suing you civilly for damages I have incurred as a result of your actions.

Please be mindful of the fact again, you must **IMMEDIATELY STOP** engaging in such activities and send me written confirmation that no further such action will be taken by you or any of your representatives. You risk incurring some very severe legal consequences if you fail to comply with this demand.

As per the **Colo. Rev. Stat. §18-5-901 et seq**, states that: The court shall be required to sentence the defendant to the department of corrections for a term of at least the minimum of the presumptive range and may sentence the defendant to a maximum of twice the presumptive range if the defendant is convicted of identity theft or of attempt, conspiracy, or solicitation to commit identity theft;

This letter acts as your final warning to discontinue this unwanted conduct before my Client pursues legal actions against you. At this time, I am not contacting the authorities or filing civil suit against you, as I hope we can resolve this matter without authoritative involvement. My Client is not under any circumstances, however, waiving any legal rights she presently has, or future legal remedies against you by sending you this letter.

This order acts as **ONE FINAL CHANCE** for you to cease your illegal activities before I exercise other available remedies for my Client.

Not only this, but my Client should be awarded with the damages that have been caused to her by your actions and compensation for the mental agony that she is going through because of your actions and illegal activities. Please be advised that if you do not present clear records of the loans that you have received on behalf of my Client, along with any other monetary benefit that you have gained because of my Client, we will immediately seek the help of the authorities to clearly present the record.





NA LAW FIRM

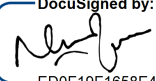
Building 1536, South Road, D-12/1, Islamabad, Email:
nooraziz1005@gmail.com



To ensure compliance with this letter, and to halt any legal action my Client may take against you, I require you to fill in and sign the attached form and mail it back to me within 10 days of your receipt of this letter. Failure to do so will act as evidence of your infringement upon my legal rights, and my Client will immediately seek legal avenues to remedy the situation.

YOU WILL NOT RECEIVE ANOTHER WARNING LETTER. IF YOU DO NOT CONFIRM IN WRITING TO US BY 15TH AUGUST, 2020, THAT YOU WILL CEASE AND DESIST AD RETURN THE ACKNOWLEDGEMENT FORM BY THE SAME DATE, A LAWSUIT WILL BE COMMENCED ON IMMEDIATE BASIS.

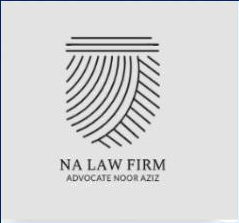
Yours Truly,

DocuSigned by:

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Noor Aziz

Attorney at Law





NA LAW FIRM

Building 1536, South Road, D-12/1, Islamabad, Email:
nooraziz1005@gmail.com



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I understand that this agreement is not specifically limited to the activities named herein. I will not engage in any activity now or in the future done that will be against the rights of Sifei Wen. I furthermore agree not to engage in any activity, regardless of its official title, that is done in violation of your legal rights. If I fail to cease performing these activities, you may pursue legal action against me in accordance to your legal rights.

This agreement represents the entire agreement between the parties.

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Name: _____

Signature: _____

