

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

BALA BANGLES, INC.,

PLAINTIFF,

V.

THE PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON SCHEDULE A

DEFENDANTS.

CASE NO.: 1:23-cv-16721

**PLAINTIFF’S MEMORANDUM IN SUPPORT OF ITS MOTION
FOR LEAVE TO FILE CERTAIN DOCUMENTS UNDER SEAL**

Plaintiff, Bala Bangles, Inc. (“Plaintiff”), by its undersigned counsel, submits this Memorandum in support of its Motion for Leave to File Certain Documents Under Seal in an action arising out of 15 U.S.C. § 1114; Section 43(a) of the Lanham Act, 15 U.S.C. §1125; the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, *et seq.*, 17 U.S.C. § 101, *et seq.*, of the Federal Copyright Act; and 35 U.S.C. § 271 of the Patent Act.

Plaintiff is requesting to strike its pending motion for leave to file certain documents under seal and to temporarily proceed under a pseudonym [5], and now requests leave to file only the following documents under seal: (1) the Schedule A to the Complaint [7-3], and Amended Schedule A [9], which consist of a list of the Defendants by their online marketplace accounts (the “Defendant Internet Stores”) and e-commerce store URLs of the Defendant Internet Stores; and (2) Plaintiff’s Motion for Entry of a Temporary Restraining Order, including a Temporary Injunction, a Temporary Asset Restraint, and Expedited Discovery [12], and accompanying memorandum, declarations, and exhibits [13] including screenshot printouts showing the e-commerce stores operating under the Seller Aliases.

Sealing this portion of the file is necessary to prevent the Defendants from learning of these proceedings prior to the execution of the temporary restraining order. If Defendants were to learn of these proceedings prematurely, the likely result would be the destruction of relevant documentary evidence as well as the hiding and/or transferring of assets to foreign jurisdictions, which would frustrate the purpose of the underlying law and would interfere with this Court's power to grant relief. Specifically, such activity will likely include, without limitation, Defendants: (a) blocking access to their sites in the United States so that IP-holders are unable to view the Defendants online postings and, therefore, unable to gather important evidence; (b) closing their Defendant Internet Stores and opening up new online stores with new registration and account information in order to evade the action; and (c) transferring assets from their financial accounts, closing those accounts, and reopening new financial accounts so as to avoid asset restraints, leaving Plaintiff without remedy.

For these reasons, Plaintiff respectfully requests that it be permitted to file certain documents under seal, at least until such time as the *ex parte* relief may be effectuated, including the suspension of the Defendant Internet Stores and restraint of the associated financial accounts, in order to further mitigate the risk of Defendants attempting to evade Plaintiff's present anti-counterfeiting efforts. Once the temporary restraining order has been served on the relevant parties and the requested actions are taken, Plaintiff will move to unseal these documents.

Dated: December 18, 2023

Respectfully submitted,

/s/ Alison K. Carter

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