

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 26-23683-CV-WILLIAMS

PUTIAN BAIYITE TRADING
CO., LTD.,

Plaintiff,

v.

THE PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON SCHEDULE A,

Defendants.

ORDER OF REFERRAL AND NOTICE OF COURT PRACTICES AND PROCEDURES

THIS MATTER is before the Court *sua sponte*. Pursuant to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules for the Southern District of Florida, it is **ORDERED AND ADJUDGED** that all discovery disputes and non-dispositive pretrial motions in this matter are **REFERRED** to Magistrate Judge Enjoliqué Lett. It is further **ORDERED** that any currently pending motions are **DENIED WITHOUT PREJUDICE** with leave to refile such motions in compliance with the rules and procedures outlined below. The Parties are directed to fully comply with the Federal Rules of Civil Procedure, the Local Rules for the Southern District of Florida, Judge Williams' Court Practices and Procedures, and Judge Lett's Discovery Procedures. Judge Williams' Court Practices and Procedures and Judge Lett's Discovery Procedures are available at the Court's website: <https://www.flsd.uscourts.gov/content/judge-kathleen-m-williams> and <https://www.flsd.uscourts.gov/content/judge-enjolique-lett>.

I. Court Practice

The Court notes that the Complaint alleges violations of Plaintiff's intellectual property rights. Accordingly, any previously denied motions must be refiled **WITHIN FOURTEEN (14) DAYS**, in compliance with the following:

- A. Any request for alternate service under Federal Rule of Civil Procedure 4(f)(3), entry of temporary restraining order, or entry of preliminary injunction must be filed **separately** from the Complaint via the appropriate motion.
- B. Any motion for entry of temporary restraining order must be filed **separately** from any motion for entry of preliminary injunction.
- C. Any motion for entry of temporary restraining order or for entry of preliminary injunction must include detailed steps Plaintiff has taken to verify that this Court has personal jurisdiction over **EACH** Defendant. See *Meier ex rel. Meier v. Sun Int'l Hotels, Ltd.*, 288 F.3d 1264, 1268–69 (11th Cir. 2002) (“The plaintiff has the burden of establishing a *prima facie* case of personal jurisdiction over a nonresident defendant.”). Plaintiff must sufficiently allege this Court's jurisdiction over **EACH** Defendant pursuant to Florida Statutes § 48.193(1)(a)(1)–(2) and § 48.193(1)(a)(6), or, in the alternative, Rule 4(k) of the Federal Rules of Civil Procedure.
- D. Any motion for entry of temporary restraining order or for entry of preliminary injunction must include or incorporate allegations that show: “(1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that the entry of the relief would serve the public interest,” and establish entitlement to relief with regard to

EACH Defendant. *Schiavo ex. rel Schindler v. Schiavo*, 403 F.3d 1223, 1225–26 (11th Cir. 2005); see also *Levi Strauss & Co. v. Sunrise Int’l. Trading Inc.*, 51 F.3d 982, 985 (11th Cir. 1995). Additionally, if a motion requests entry of a temporary restraining order without notice to the adverse party or parties, the motion must also plead “specific facts in an affidavit or a verified complaint” that “clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition,” and the movant’s attorney must certify “in writing any efforts made to give notice and the reasons why it should not be required.” FED. R. CIV. P. 65(b)(1).

E. Any motion for alternate service upon Defendants must state what methods Plaintiff has undertaken to effectuate service. A motion for alternate service will not be granted where a plaintiff does not provide evidence or affidavits to show what efforts Plaintiff has undertaken to determine whether the addresses it has on file for **EACH** Defendant are actually associated with **EACH** Defendant. See, e.g., *Zuru (Singapore) Pte., Ltd. v. Individuals Identified on Schedule A Hereto*, No. 22-2483, 2022 WL 14872617, at *2 (S.D.N.Y. Oct. 26, 2022) (finding alternative process under Rule 4(f)(3) proper where plaintiff “conducted further online research, sent mail to the addresses, and conducted in-person visits” to determine whether physical addresses provided by Amazon were accurate). Further, any motion for alternate service effectuated upon a foreign defendant pursuant to Rule 4(f)(3) of the Federal Rules of Civil Procedure **must** detail:

1. the proposed method of service for **EACH** Defendant;
2. the domicile of **EACH** Defendant;

3. what reasonable efforts were undertaken to discover **EACH** Defendant's domicile; and

4. whether the form of alternate service requested is permitted by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents given **EACH** Defendant's domicile.

F. Additionally, **WITHIN FOURTEEN (14) days** of the date of this Order, counsel for Plaintiff shall file a verified response to this Order, which must include:

1. Whether counsel has conducted a search of case filings in the records of the Clerk of the United States District Court **for all districts** to ascertain whether Defendants have ever been sued prior to the filing of this suit for any alleged violations of Plaintiff's intellectual property rights. If counsel did not conduct such a search prior to the filing of this lawsuit, counsel shall conduct that search prior to responding to this Order and indicate the results of that search in a verified response.
2. If there has been a prior suit, counsel shall include in the verified response information about the present status of that litigation, if it is pending, and, if not pending, the nature of the disposition (*e.g.*, settlement, dismissal, or other disposition).
3. If a prior suit was resolved by settlement, counsel shall furnish to the Court specific details of that settlement, including any agreement for attorney's fees and costs that is either known to counsel or which can be ascertained with reasonable inquiry. Copies of these documents shall be furnished with the response to this Order. Counsel shall also explain

whether Defendants have complied with any settlement agreement and, if not, what actions Defendants must take to comply with that settlement agreement.

4. Counsel shall explain what efforts were taken by the parties to the prior litigation to enforce the terms of any prior settlement agreement.

G. Motions to file documents under seal or to proceed anonymously or pseudonymously in these cases are **disfavored** by the Court. See *Landmark Commc'ns, Inc. v. Virginia*, 435 U.S. 829, 839 (1978) ("The operations of the courts and the judicial conduct of judges are matters of utmost public concern."); *Chicago Trib. Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1311 (11th Cir. 2001) ("The common-law right of access to judicial proceedings, an essential component of our system of justice, is instrumental in securing the integrity of the process."); *Doe v. Frank*, 951 F.2d 320, 323 (11th Cir. 1992) ("It is the exceptional case in which a plaintiff may proceed under a fictitious name."). Accordingly, any such motions shall be **DENIED** with leave to refile **only** after all the requirements of this Order have been complied with and only once the exceptional circumstances required to grant such a motion have been shown.

II. Amended Complaint

To the extent the operative Complaint is not in compliance with the terms of this Order, Plaintiff shall promptly file an Amended Complaint **WITHIN SEVEN (7) DAYS** of the date of this Order.

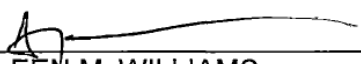
III. Joint Scheduling Report

It is further ordered that **WITHIN FOURTEEN (14) DAYS** from the date the last Defendant responds to the Complaint, the Parties shall file a joint conference report and a joint proposed scheduling order, as required by S.D. Fla. Local Rule 16.1(b). As part of that filing, the Parties shall complete and submit the attached form proposing deadlines.

IV. Non-Compliance with this Order and the Court's Rules

Noncompliance with any provision of this Order, the Federal Rules of Civil Procedure, the Local Rules, this Court's Practices and Procedures, and/or any other Court order, may subject the offending Party to **sanctions**, including **dismissal** of this case. It is the duty of all counsel to take any and all actions necessary to comply with this Order, the aforementioned rules, and all Court orders.

DONE AND ORDERED in Chambers in Miami, Florida on this 29th day of May, 2026.


KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. XX-XXXXX-CV-WILLIAMS**

PARTY NAME,

Plaintiff(s),

v.

PARTY NAME,

Defendant(s).

_____/

SCHEDULE JOINTLY PROPOSED BY THE PARTIES

THIS MATTER is set for trial for the week of [Month, Day, Year]. The Parties propose to adhere to the following schedule:

[Month, Day, Year]	The Parties shall furnish their initial disclosures pursuant to Fed. R. Civ. P. 26. The Parties are under a continuing obligation to furnish supplements within ten (10) days of receipt or other notice of new or revised information.
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[Month, Day, Year]	The Parties shall file motions to amend pleadings or join Parties.
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[Month, Day, Year]	Plaintiff(s) shall disclose experts, expert witness summaries and reports, as required by Federal Rule of Civil Procedure 26(a)(2).
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[Month, Day, Year]	Defendant(s) shall disclose experts, expert witness summaries and reports, as required by Federal Rule of Civil Procedure 26(a)(2).
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[Month, Day, Year]	The Parties shall exchange rebuttal expert witness summaries and reports, as required by Fed. R. Civ. P. 26(a)(2).
[Month, Day, Year]	The Parties shall complete all discovery, including expert discovery.
[Month, Day, Year]	The Parties shall complete mediation and file a mediation report with the Court.
[Month, Day, Year]	The Parties shall file all dispositive pre-trial motions and memoranda of law. The Parties shall also file any motions to strike or exclude expert testimony, whether based on Fed. R. Evid. 702 and <i>Daubert v. Merrell Dow Pharmaceuticals, Inc.</i> , 509 U.S. 579 (1993), or any another basis.
[Month, Day, Year]	The Parties shall each file one motion <i>in limine</i> . All motions <i>in limine</i> must be filed at least six (6) weeks before Calendar Call.
[Month, Day, Year]	The Parties shall file their joint pretrial stipulation, witness lists, and exhibit lists in accordance with Local Rule 16.1(d) and (e). The Parties shall also file proposed jury instructions and a proposed verdict form, or statement of fact and conclusions of law (for non-jury trials). The Parties shall also submit their deposition designations.

By: **[Attorney(s) for Plaintiff(s)]**

[Attorney(s) for Defendant(s)]