

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

Ford Motor Company,

Plaintiff,

v.

bestyseller-v, bigwheel-la, continu-23,
fadacaitop, familytop66, favorite22shop,
funnyfull, homestyles05, joyyear-auto,
newte_98, nuliya, tbtghj, touchyourheart, and
zeximaoyi1986,

Defendants.

Civil Action No. 1:24-cv-4076

Judge Sharon Johnson Coleman

Magistrate Judge M. David Weisman

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S
MOTION FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 55(a) and (b)(2), Plaintiff Ford Motor Company (“Ford”) submits the following Memorandum of Law in Support of its Motion for Entry of Default and Default Judgment against the individuals, business entities, and unincorporated associations operating under the seller aliases bestyseller-v, bigwheel-la, continu-23, fadacaitop, familytop66, favorite22shop, funnyfull, homestyles05, oyyear-auto, newte_98, nuliya, tbtghj, touchyourheart, and zeximaoyi1986, as further identified in Exhibit A (“Defendants”).¹ Despite having actual notice of this case and being properly served with the pleadings, motions, orders, and other filings, Defendants failed to answer, plead, defend, or otherwise appear in this case by the July 22, 2024 answer deadline. Accordingly, Defendants are in default and default must be entered against all of them pursuant to Rule 55(a).

Moreover, Defendants’ liability for Ford’s claims for willful trademark counterfeiting,

¹ The information regarding the Defendants identified in Exhibit A was compiled based on data provided by eBay for Defendants. *See* Declaration of Christian S. Morgan, at ¶ 3.

trademark infringement, dilution, unfair competition, and violations of Illinois state and common law is clear and undisputed. Accordingly, this Court should enter a default judgment against all Defendants (1) permanently enjoining Defendants' unlawful conduct, (2) awarding statutory damages to Ford in the amount of fifty thousand dollars (\$50,000) against each of Defendants based upon their willful and unlawful conduct, (3) transferring to Ford all assets in Defendants' financial accounts up to the statutory damages award, including the right to supplement for any accounts identified in the future, and (4) releasing the bond previously posted by Ford.

I. STATEMENT OF FACTS

Ford is a global automotive leader with a history dating back to 1895. *See* First Amended Complaint ("FAC"), Dkt. No. 24, at ¶ 12. For more than 120 years, consumers have come to rely on Ford for their automotive needs. *Id.* Indeed, since long prior to Defendants' counterfeiting and infringing conduct, Ford has continuously used its FORD,  (the "FORD Script Logo"),



(the "FORD Oval Logo"), MOTORCRAFT, and



(“Speeding Car Logo”) marks (collectively, the “Ford Marks”) in connection with a wide range of genuine automotive parts and accessories, among other goods and services. *Id.* at ¶ 21. Ford owns a number of United States trademark registrations and extensive common law rights in its family of Ford Marks, and the Ford Marks have earned substantial fame and considerable goodwill among the public and are critical to Ford's business success. *Id.* at ¶¶ 21-22.

Without Ford's authorization or consent, Defendants are and/or were advertising, offering for sale, selling, and distributing substantial quantities of identical counterfeit DG-511 ignition coils bearing the Ford Marks (the “Counterfeit Parts”) to consumers online while claiming that the

parts are genuine and authentic. *See* FAC, Dkt. No. 24 at ¶¶ 2, 49, 52. However, Defendants’ Counterfeit Parts are not manufactured or authorized by Ford, and Ford has no ability to control the nature and quality of the Counterfeit Parts provided under the Ford Marks. *Id.* at ¶¶ 41, 55. By selecting and using marks identical to Ford’s registered FORD, FORD Script Logo, FORD Oval Logo, MOTORCRAFT, and Speeding Car Logo marks, Defendants’ conduct is done with the knowledge and intent that such Counterfeit Parts will be mistaken for the genuine, high-quality automotive parts offered by Ford. *Id.* at ¶ 7. Not only does such conduct create a likelihood of confusion, consumers have been actually confused. *Id.* at ¶ 52; *see also* Woods Decl., Dkt. No. 14, at ¶ 31. Ford’s history is built on trust and its relationships with customers. Consequently, Defendants’ acts of counterfeiting and infringement are an attack on Ford’s business and its customers.

On June 18, 2024, the Court entered a Temporary Restraining Order (“TRO”) against all of the Defendants. (Dkt. No. 35). On July 16, 2024, after reviewing Ford’s overwhelming evidence and conducting a hearing with notice to Defendants, the Court granted Ford’s Motion to Convert the TRO into a Preliminary Injunction. (Dkt. No. 50). In doing so, the Court found that Ford’s evidence established that it would likely succeed on its claims, Ford had no adequate remedy at law and would continue to suffer irreparable harm absent a preliminary injunction, that the burden tipped in Ford’s favor, and the public interest favored issuance of the preliminary injunction. *See* Dkt. No. 50, Preliminary Injunction Order, at ¶¶ 3-10.

Pursuant to the Court’s order granting alternative service (Dkt. No. 44), Ford formally served all the Defendants on July 1, 2024, and their deadline to file an answer was July 22, 2024. *See* Dkt. No. 45. Despite having actual notice of this case and being properly served with the

pleadings, motions, orders, and other filings, Defendants failed to answer, plead, defend, or otherwise appear in this case by that deadline.

II. ARGUMENT

A. Jurisdiction and Venue Are Proper in This Court.

This Court has subject matter jurisdiction over Ford's federal claims pursuant to the Lanham Act, 15 U.S.C. §§ 1114(1) and 1125(a). This Court also has subject matter jurisdiction over Ford's federal claims pursuant to 28 U.S.C. § 1332 because there is a complete diversity of citizenship between Ford and Defendants and the amount in controversy, exclusive of interest and costs, exceeds \$75,000. The Court has supplemental jurisdiction over Ford's state law claims pursuant to 28 U.S.C. §§ 1338(b) and 1367. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and the Court may properly exercise personal jurisdiction over Defendants pursuant to the Illinois long-arm statute, 735 Ill. Comp. Stat. 5/2-209 *et seq.*, because Defendants purposefully directed their counterfeiting and infringing activities toward consumers in Illinois and caused harm to Ford's business within this District. Defendants are also subject to personal jurisdiction in this District pursuant to Federal Rule of Civil Procedure 4(k)(2) because (i) Defendants are not subject to jurisdiction in any state's court of general jurisdiction; and (ii) exercising jurisdiction is consistent with the United States Constitution and laws. Such an assertion of personal jurisdiction is also in accordance with the Due Process clause of the Fourteenth Amendment of the United States Constitution.

B. Entry of Default Is Required.

Pursuant to Federal Rule of Civil Procedure 55(a), "when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default." Fed. R. Civ. P. 55(a). On June 7,

2024, Ford filed its First Amended Complaint alleging willful trademark counterfeiting, trademark infringement, dilution, unfair competition, and violations of Illinois state and common law against the Defendants. (Dkt. No. 24). Ford properly served Defendants with the First Amended Complaint, this Court's orders in the case, and other relevant filings on July 1, 2024. (Dkt. No. 45). Despite having been served with process, none of Defendants have filed an answer or otherwise pleaded in this action. *See* Declaration of Christian S. Morgan ("Morgan Decl.") at ¶ 6. On information and belief, none of Defendants are active-duty members of the U.S. armed forces. *Id.* at ¶ 4. Accordingly, Ford requests that entry of default be made against all of Defendants.

C. Ford Has Established the Requirements for Default Judgment Against All of Defendants.

Ford has established all the requirements for a default judgment against the Defendants, and a final default judgment order is not only appropriate but also necessary to stop the harm caused by Defendants' conduct.

A court may enter a default judgment when the non-moving party has "failed to plead or otherwise defend" itself in the action, and the decision to grant or deny default judgment lies within the court's discretion. *Kinsey v. Jambow, Ltd.*, 76 F. Supp. 3d 708, 710 (N.D. Ill. 2014). When a court determines that a defendant is in default, all well-pleaded allegations in the complaint will be taken as true. *Wehrs v. Wells*, 688 F.3d 886, 892 (7th Cir. 2012). A default judgment establishes, as a matter of law, that a defendant is liable to the plaintiff for each cause of action in the complaint. *See U.S. v. DiMucci*, 879 F.2d 1488, 1497 (7th Cir. 1989); *Black v. Lane*, 22 F.3d 1395, 1399 (7th Cir. 1994).

Here, Ford properly pleaded its claims of willful trademark counterfeiting, trademark infringement, dilution, unfair competition, deceptive trade practices, and consumer fraud. *See* FAC, Dkt. No. 24, at ¶¶ 56-90. Indeed, based on the pleadings and supporting exhibits, the Court

previously held that Ford has a high likelihood of success on its claims. *See* TRO, Dkt. No. 35, at ¶ 2, and Preliminary Injunction Order, Dkt. No. 50, at ¶ 3. As a result, Ford's claims are well pleaded, and Defendants are liable to Ford for each cause of action alleged in the First Amended Complaint. *Wehrs*, 688 F.3d at 892. Accordingly, Ford requests that the Court enter a final judgment against Defendants and an order granting the equitable and monetary relief described below.

D. Ford Is Entitled to Injunctive, Equitable, and Monetary Relief.

Upon entry of judgment, Ford requests that the Court grant relief for the violations committed by Defendants. Fed. R. Civ. P. 55(b)(2). Specifically, Ford requests (1) a permanent injunction enjoining certain conduct by Defendants, (2) statutory damages against each of Defendants based upon their willful and unlawful conduct, (3) an order directing that all assets in Defendants' financial accounts be released to Ford as partial payment of such damages, including the right to supplement for any accounts identified in the future, and (4) releasing the bond previously posted by Ford.

1. Permanent Injunctive Relief Is Appropriate.

Permanent injunctive relief is not only appropriate but also necessary to protect Ford against future infringement and the public at large from the harm caused by Defendants' conduct. A party seeking to obtain a permanent injunction order must show that: (1) it has suffered an irreparable injury; (2) the remedies available at law are inadequate to compensate for that injury; (3) a remedy in equity is warranted considering the balance of hardships between the plaintiff and defendant; and (4) the public interest would not be disserved by a permanent injunction. *See MetroPCS v. Devor*, 215 F. Supp. 3d 626, 639 (N.D. Ill. 2016) (quoting *e360 Insight v. The Spamhaus Project*, 500 F.3d 594, 604 (7th Cir. 2007)). Notably, these are the same requirements to obtain a preliminary injunction (in addition to likelihood of success on the merits, which has

already been established as a matter of law by Defendants' default). This Court has already found that all these requirements have been satisfied when it entered the Preliminary Injunction Order. (Dkt. No. 50). That is, the Court found that Ford's overwhelming evidence established that it has suffered irreparable injury for which no adequate remedy at law is available, that the balance tipped in Ford's favor, and the public interest favored issuance of the preliminary injunction order. *Id.*

Moreover, Defendants' egregious and infringing conduct harmed both Ford and the public at large. Ford had no control over Defendants' use of the Ford Marks, and therefore was harmed. *See Int'l Kennel Club of Chicago, Inc. v. Mighty Star, Inc.*, 846 F.2d 1079, 1092 (7th Cir. 1988) (stating "[t]he most corrosive and irreparable harm attributable to trademark infringement is the inability of the victim to control the nature and quality of defendants' goods").

Pursuant to 15 U.S.C. § 1116(a), there is a rebuttable presumption of irreparable harm when trademark infringement has been established, as is the case here. Moreover, damages occasioned by trademark infringement are presumed to be irreparable because it is virtually impossible to ascertain the precise economic consequences of intangible harms caused by such violations, such as damage to reputation and loss of goodwill. *Ty, Inc. v. Jones Group, Inc.*, 237 F.3d 881, 890 (7th Cir. 2001) (citations omitted); *see also Checker Car Club of America, Inc. v. Fay*, 262 F. Supp. 3d 621 (N.D. Ill. 2017) (holding that harm to trademark owner's goodwill is considered "presumptively irreparable" in trademark infringement actions). Absent a permanent injunction, there is nothing to prevent Defendants from engaging in infringing conduct in the future. *See Restatement Third, Unfair Competition, Section 35, comment b* (1995) ("In cases of deceptive marketing, trademark infringement, or trademark dilution, a prevailing plaintiff is ordinarily awarded injunctive relief to protect both the plaintiff and the public from the likelihood of future harm."). The Court previously found this case warranted issuance of a preliminary injunction and

the circumstances have not changed. Therefore, it is logical to extend the existing Preliminary Injunction into a Permanent Injunction.

Accordingly, a Permanent Injunction is warranted to protect Ford and the public from the likelihood of future harm. For these reasons, Ford requests that the Court convert the existing Preliminary Injunction into a Permanent Injunction as set forth in the Proposed Order.

2. *Ford Is Entitled to Statutory Damages.*

The entry of default judgment establishes, as a matter of law, that Defendants are liable to Ford as to each cause of action alleged in the First Amended Complaint. *See DiMucci*, 879 F.2d at 1497. In trademark counterfeiting cases, a plaintiff may elect to receive an award of statutory damages in lieu of actual damages and profits. *See* 15 U.S.C. § 1117(c). The Lanham Act, 15 U.S.C. § 1117(c), provides a range for possible statutory damage awards of “not less than \$1,000 or more than \$200,000 per counterfeit mark per type of goods or services sold, offered for sale, or distributed, as the court considers just,” and the maximum \$200,000 award increases up to \$2,000,000 in cases of willful counterfeiting. 15 U.S.C. § 1117(c)(1) and (2). Within this statutory framework setting the minimum and maximum awards, “[a] court awarding statutory damages is not required to follow any rigid formula but instead enjoys wide discretion.” *Lorillard Tobacco Co. v. S&M Central Service Corp.*, Case No. 03 C 4986, 2004 WL 2534378, at *4 (N.D. Ill. Nov. 8, 2004) (quoting *Chi-Boy Music v. Charlie Club*, 930 F.2d 1224, 1229 (7th Cir. 1991)).

Here, Ford seeks an award of statutory damages in lieu of actual damages and profits, which would be difficult to prove in this case, particularly given Defendants’ default. Specifically, Ford respectfully requests that the Court enter an award of statutory damages in the amount of fifty thousand dollars (\$50,000) against each of Defendants. While the law also provides for Ford’s recovery of their attorneys’ fees and costs, Ford foregoes this recovery. *See* 15 U.S.C. §§ 1117(a)

and (b), 815 Ill. Comp. Stat. § 510/3, and 815 Ill. Comp. Stat. § 505/10a. As a result, a hearing on damages is not required. *See, e.g., Lorillard Tobacco Co. v. Montrose Wholesale Candies & Sundries, Inc.*, 2008 WL 1775512, at *3 (N.D. Ill. Apr. 17, 2008) (“requiring an evidentiary hearing for statutory damages here would defeat the purpose of 15 U.S.C. § 1117(c)(2), which recognized that damages in trademark cases may be difficult to prove due to defendant conduct.”); *see also Coach, Inc. v. 3D Designers Inspirations*, 70 F. Supp. 3d 942, 946 (C.D. Ill. 2014) (“the Court does not find that it is necessary to hold a hearing to ascertain Coach’s claimed damages” because “Coach has elected statutory damages, and § 1117(c) derives such damages based on the number of counterfeit marks per type of good or service sold or offered for sale.”).

a. The Requested Statutory Damages Are Appropriate and Necessary.

An award of fifty thousand dollars (\$50,000) against each of Defendants is appropriate and warranted in this case given the difficulty in proving actual damages (and Ford’s decision to forego its attorneys’ fees and costs), the scope of Defendants’ willful counterfeiting and infringing activities and the harm caused to Ford and the public at large by Defendants’ conduct, the need to deter Defendants and other similar online counterfeiters from engaging in such conduct in the future, and the strength and value of the Ford Marks.

In determining the amount of statutory damages within the statutory framework, courts generally consider the following factors: (1) the difficulty or impossibility of proving actual damages; (2) the circumstances of the infringement (e.g., whether it was willful and the harm caused to the public); and (3) the efficacy of damages as a deterrent of future violations. *Chi-Boy Music*, 930 F.2d at 1229. Courts may also take into account the value of the plaintiff’s trademark(s) and the efforts taken to protect, promote, and enhance the brand. *NBA Properties, Inc. v. Yan Zhou*, Case No. 16-cv-11117, 2017 WL 4074020, at *3 (N.D. Ill. Sept. 14, 2017) (citing *Lorillard*, 2004

WL 2534378, at *6). In addition, when a defendant conducted their counterfeiting activities online, courts have awarded significant statutory damages amounts. *See Coach, Inc. v. Ocean Point Gifts*, 2010 U.S. Dist. LEXIS 59003, at *15-16 (D.N.J. Jun. 14, 2010) (awarding significant statutory damages “due in part to the wide market exposure that the Internet can provide”).

First, statutory damages are particularly appropriate in this case because it is impossible for Ford to ascertain evidence of Defendants’ actual profits. Indeed, Defendants have not appeared in this case and are in default, which prevents Ford from obtaining the necessary discovery of complete documents and other information sufficient to determine Defendants’ actual profits. Courts have found that statutory damages are especially appropriate in default judgment cases due to infringer nondisclosure. *See Lorillard*, 2004 WL 2534378, at *3. Moreover, since Defendants’ actual profits are impossible to determine, an award of the requested statutory damages is also necessary because Defendants had the ability to reach a vast customer base through their online conduct. *See Coach*, 2010 U.S. Dist. LEXIS 59003, at *15-16; *see also Burberry Ltd. v. Designers Imports, Inc.*, 2010 U.S. Dist. LEXIS 3605, at *28-29 (S.D.N.Y. Jan. 19, 2010) (awarding statutory damages based, in part, on “Defendant’s ability to reach a vast customer base through internet advertising”).

Second, Defendants’ willful conduct justifies the requested statutory damages. “Willful infringement occurs when a defendant knowingly and intentionally, or with reckless disregard or willful blindness to the plaintiff’s rights, infringes a trademark; it may also be inferred from a failure to defend in a suit for trademark infringement.” *Coach, Inc.*, 70 F. Supp. 3d at 947. The evidence of record clearly establishes that Defendants engaged in willful conduct intentionally designed to harm Ford and the public at large. For example, to give the appearance of legitimacy, the packaging for the Counterfeit Parts lists Ford’s genuine MOTORCRAFT website at

www.motorcraft.com, and even states that “Motorcraft® is a registered trademark of Ford Motor Company” and contains other trademark notices identical or nearly identical to those on Ford’s genuine products. *See* FAC, Dkt. No. 24, ¶ 39. As a result, Defendants had actual knowledge of Ford and Ford’s prior registered trademark rights. *Id.* Despite having actual and constructive notice of Ford’s prior rights to the Ford Marks, Defendants advertised and sold the identical counterfeit automotive parts covered by Ford’s registrations and bearing Ford’s identical Ford Marks in packaging nearly identical to Ford’s packaging for its genuine parts. *Id.* at ¶ 46. Simply put, this is not a case where Defendants have any legitimate reason or need to use Ford’s registered trademarks. Further, since Defendants failed to defend this action and have otherwise ignored these proceedings, Defendants’ willfulness is presumed. *See, e.g., Burberry Limited, et al. v. The Partnerships, et al*, No. 14-cv-08220 (N.D. Ill. Dec. 11, 2014) (unpublished) (Dkt. Nos. 44 and 45). Accordingly, Defendants’ conduct was willful and justifies the requested statutory damages award.

Third, an award of the requested statutory damages is necessary to deter Defendants and other third parties from engaging in counterfeiting and infringing conduct harming Ford and the public at large in the future. Courts have held that high or even maximum statutory damages are justified to deter conduct that is *potentially* harmful to public health or safety. *See Innovation Ventures, LLC v. Ultimate One Distrib. Corp.*, 176 F. Supp. 3d 137, 170 (E.D.N.Y. 2016) (awarding maximum statutory damages of \$10 million for willful trademark counterfeiting, stating “Even though, to date, no adverse effects are known to have been reported from consumption of the counterfeit product, a maximum award is nonetheless warranted to punish and deter such dangerous activity.”). Here, Defendants are offering counterfeit automotive parts to U.S. consumers. Faulty products of the kind offered and sold by Defendants can damage engine and

exhaust systems, resulting in engine failure and impacting overall life and performance of the vehicles, among other potential issues, and also implicates consumer safety concerns. *See* FAC, Dkt. No. 24, at ¶ 33. In light of these potential safety issues, an award of at least \$50,000 against each Defendant is warranted.

Fourth, Ford's Ford Marks are of incalculable value and importance to Ford. Courts have awarded up to the maximum statutory damages amount where trademarks are "highly valuable, the counterfeiting was . . . on a large scale and would have resulted in substantial profit from the infringement, and there is a strong need to deter the defendants and their ilk from future counterfeiting." *Philip Morris USA Inc. v. U.S. Sun Star Trading, Inc.*, No. CV 08-0068, 2010 WL 2133937, at *11 (E.D.N.Y. Mar. 11, 2010); *see also Luxottica USA LLC v. The Partnerships & Unincorporated Associations Identified On Schedule "A"*, Case No. 14 C 9061, 2015 WL 3818622, at *3 (N.D. Ill. June 18, 2015). The Ford Marks have attained among the highest recognition levels and fame of any trademarks worldwide. For example, the FORD brand is currently ranked as the 51st most valuable brand in the world based on Interbrand's annual survey of the "100 Most Valuable Global Brands." *See* FAC, Dkt. No. 24, at ¶ 28. The fame of the FORD trademark has also been previously recognized by multiple U.S. federal district courts, leading legal treatises, and international arbitration panels. *Id.* at ¶ 29. The success of Ford's automotive goods and services is due, in large part, to the extensive efforts Ford has undertaken to protect, promote, and enhance its Ford Marks. *Id.* at ¶ 26. Indeed, Ford's extensive use and advertising of the Ford Marks has resulted in consumer recognition that the Ford Marks identify Ford as the source of automotive related goods and services of only the highest level of quality, reliability and trustworthiness, which are crucial qualities in automotive industry. *Id.* at ¶ 27. Given Ford's place

as a global automotive leader and its extensive expenditures to protect and promote its brand, the requested statutory damages are justified.

b. The Court Is Authorized to Order the Release of Money Held by Non-Party Payment Processors and Financial Institutions.

In accordance with 15 U.S.C. § 1116(a) and the Court's inherent equitable power, the Court is authorized to require non-party payment processors and financial institutions to release funds owned or controlled by Defendants to satisfy all or part of a judgment. *See, e.g., True Religion Apparel, Inc. v. Xiaokang Lee*, No. 1:11-cv-8242-HB, slip op. (S.D.N.Y. Mar. 12, 2012). Here, Ford respectfully requests that the Court enter the Proposed Order, which requires, *inter alia*, that non-party payment processors and financial institutions release to Ford monies currently held in various Defendants' financial accounts, including any such accounts identified in the future, which receive payments or hold assets on Defendants' behalf, as partial payment for the statutory damages described herein.

The Court has already ordered that Defendants' financial accounts be frozen, and the Court has good cause for ordering the release of money held in such accounts by non-party financial institutions/payment processors. Such an order is not only authorized under federal law and the Court's inherent equitable powers but is also necessary to stop the harmful conduct by Defendants. Indeed, Defendants' use of online payment processors is integral to their scheme, as they solicit payment from consumers via electronic/online means. Thus, an Order requiring that Defendants' financial accounts be frozen and that any money held therein be released to Ford is necessary to stop Defendants' conduct, satisfy all or part of any money judgment awarded by the Court, and deter Defendants' conduct in the future.

c. The Posted Bond Should Be Released to Ford.

Upon entry of judgment, Ford requests that the Court release to Ford the bond previously posted by Ford in this case.

III. CONCLUSION

In light of the foregoing, Ford requests that the Court enter Ford's Proposed Order for default judgment finding that Defendants' willful conduct renders them liable for Ford's claims for willful trademark counterfeiting, trademark infringement, dilution, unfair competition, and violations of Illinois state and common law. Ford further requests that the Court permanently enjoin Defendants' unlawful conduct, award statutory damages to Ford in the amount of fifty thousand dollars (\$50,000) against each of Defendants, and order that funds in Defendants' financial accounts be released to Ford in partial payment for such damages, including the right to supplement for future conduct. Lastly, Ford requests that the Court release the bond previously posted by Ford in this case.

Respectfully submitted,

FORD MOTOR COMPANY

Dated: July 25, 2024

By: /s/ Christian S. Morgan
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CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2024, I electronically filed the foregoing MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT using the Court's ECF filing system. I also certify that a copy of the foregoing was served on all Defendants and individuals claiming to represent them by sending a copy of the Motion to them via email and posting a copy of the Motion on the external website for publication.

This 25th day of July 2024

/s/ Christian S. Morgan
Christian S. Morgan