

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 24-23061-CIV-MARTINEZ-SANCHEZ

ON CLOUDS GMBH,

Plaintiff,

vs.

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

Defendants.

PLAINTIFF'S NOTICE OF FILING BOND

Plaintiff On Clouds GmbH., by and through its undersigned counsel, hereby gives its notice of filing the original bond certificate issued (attached hereto), in compliance with the Court's Sealed Order, dated August 15, 2024, (ECF No. *Sealed*).

DATED: August 16, 2024.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: 

Stephen M. Gaffigan (Fla. Bar No. 025844)

Virgilio Gigante (Fla. Bar No. 082635)

T. Raquel Wiborg-Rodriguez (Fla. Bar No. 103372)

Christine Ann Daley (Fla. Bar No. 98482)

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Attorneys for Plaintiff, On Clouds GmbH

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

DIVISION

ON CLOUDS GMBH

Plaintiff,

v.

Case No.: 24-23061-CIV

THE PARTNERSHIPS, BUSINESS ENTITIES, AND

BOND ON INJUNCTION

UNINCORPORATED ASSOCIATIONS IDENTIFIED

Bond No.: S-958128

ON SCHEDULE A

Defendant(s).

We, ON CLOUDS GMBH as Principal, and NGM INSURANCE COMPANY, as Surety, are bound to the above shown Defendant(s), as Obligee, in the sum of Ten Thousand and 00/100 Dollars (\$ 10,000) lawful money of the United States of America, for the payment of which we bind ourselves, our heirs, personal representatives, successors and assigns jointly and severally.

THE CONDITION OF THIS BOND IS SUCH; That if the Principal shall pay all costs and damages that the Obligee may sustain in consequence of the Principal improperly obtaining a temporary injunction or restraining order in this action, then this bond is void; otherwise it remains in full force and effect.

Signed, sealed and dated this 15th day of August, 2024.

NGM INSURANCE COMPANY

4601 Touchton Rd., Ste. 3400, Jacksonville, FL 32246

Nicholas A. Hanley

By: Nicholas A. Hanley, Attorney-in-Fact and Agent

APPROVED on

(Judge)(Clerk)

PRINCIPAL

J. Baggett

By: Attorney for Principal



POWER OF ATTORNEY

S-958128

KNOW ALL PARTIES BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint NICHOLAS A. HANLEY its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-958128 dated August 15, 2024 , on behalf of **** ON CLOUDS GMBH ****

in favor of US District Court, Southern District of Florida for Ten Thousand and 00/100

Dollars (\$ 10,000)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

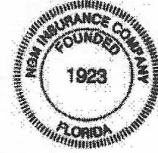
Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Assistant Secretary and its corporate seal to be hereto affixed this 23rd day of August, 2023.

NGM INSURANCE COMPANY By:

[Handwritten signature of Lauren K. Powell]

Lauren K. Powell
Chief of Staff, Vice President, Corporate Secretary



State of Wisconsin,
County of Dane

On this 23rd day of August, 2023, before the subscriber a Notary Public of State of Wisconsin and for the County of Dane duly commissioned and qualified, came Lauren K. Powell of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Madison, Wisconsin this 23rd day of August, 2023.

[Handwritten signature of Nathan Hoyt]



My commission expires:
May 21, 2027

I, Nathan Hoyt, Assistant Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Madison, Wisconsin this 15th day of August , 2024 .

[Handwritten signature]



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-603-354-5281.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Department or call our Bond Claim Department at 1-603-358-1437.