

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 25-22026-CIV-BECERRA**

TISSOT SA,

Plaintiff,

vs.

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

Defendants.

---

**PLAINTIFF’S VERIFIED RESPONSE TO THE COURT’S ORDER  
REGARDING PROCEDURES IN SCHEDULE “A” CAUSES OF ACTION**

Plaintiff, Tissot SA (“Tissot” or “Plaintiff”), by and through its undersigned counsel, hereby submits this verified response to the Court’s Order Regarding Procedures in Schedule “A” Causes of Action (“Order”) [ECF No. 8]. In support thereof, Plaintiff states as follows:

1. On June 18, 2025, my firm conducted a search on the Public Access to Court Electronic Records (“PACER”) of case filings through the United States case index search, in compliance with the Court’s Order [ECF No. 8], and confirmed Plaintiff has not filed against the Defendants at issue in any other district.

2. Additionally, to further comply with the Court’s Order [ECF No. 8], Plaintiff is preparing a Renewed *Ex Parte* Application seeking temporary *ex parte* relief. As will be further noted in Plaintiff’s counsel’s declaration to Plaintiff’s Renewed *Ex Parte* Application, Plaintiff’s counsel has verified that this Court has personal jurisdiction over each Defendant. Plaintiff’s Complaint alleges the Court has personal jurisdiction over each Defendant, because each Defendant is a non-resident of the United States and has offered to sell goods using counterfeits of Plaintiff’s trademarks to consumers in this district. (Compl. ¶¶ 2, 8, 11, 25.) The Eleventh

Circuit has held that Florida's long-arm statute permits jurisdiction over a nonresident defendant who commits a tort outside of the state that causes injury inside the state. Licciardello v. Lovelady, 544 F.3d 1280, 1283 (11th Cir. 2008). Further, the Eleventh Circuit has specifically stated that trademark claims under the Lanham Act allege tortious acts for long-arm purposes. Louis Vuitton Malletier, S.A. v. Mosseri, 736 F.3d 1339, 1353 (11th Cir. 2013).

3. Additionally, Plaintiff's Renewed *Ex Parte* Application will set forth the requisite elements and establishes entitlement to the relief with regard to each Defendant. Moreover, because Plaintiff intends to file its Renewed *Ex Parte* Application without notice to Defendants, Plaintiff's counsel will submit a declaration to certify why *ex parte* relief is warranted and the reasons as to why notice to Defendants in this matter should not be required.

4. Plaintiff will also be renewing its request for alternate service under Federal Rule of Civil Procedure 4(f)(3). That Motion will encompass the Court's requirements for such motions and attach sworn declarations regarding each Defendant's purported domicile and the efforts Plaintiff has undertaken to verify any physical addresses. Plaintiff's Renewed *Ex Parte* Motion for alternate service will further specify the form of alternate service being requested and whether these forms are permitted by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents as to each Defendant's purported domicile.

5. Separately, Plaintiff will be filing a Renewed Motion to Seal using the CM/ECF events specifically earmarked for a motion to seal. Plaintiff's Renewed Motion to Seal will request the Court allow two documents to be filed under seal: (i) Schedule "A" to Plaintiff's Complaint; and (ii) Summonses as to Defendants. In compliance with L.R. 5.4(b), Plaintiff's Renewed Motion to Seal will set forth the factual and legal basis for departing from the policy that Court filings are public and describes the documents to be sealed without attaching or revealing the content of the

proposed sealed material. To that end, Plaintiff's Complaint notes that Schedule "A" has been redacted pursuant to L.R. 5.4(b)(1) as that section is the subject of Plaintiff's Motion to File Under Seal. (See [ECF No. 1 at p. 21].)

6. Accordingly, Plaintiff respectfully submits this verified response in compliance with the terms of the Court's Order Regarding Procedures in Schedule "A" Causes of Action [ECF No. 8].

DATED: June 23, 2025.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **Virgilio Gigante**

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

Virgilio Gigante (Fla. Bar No. 082635)

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

401 East Las Olas Blvd., #130-453

Ft. Lauderdale, Florida 33301

Telephone: (954) 767-4819

E-mail: [stephen@smgpa.cloud](mailto:stephen@smgpa.cloud)

E-mail: [leo@smgpa.cloud](mailto:leo@smgpa.cloud)

E-mail: [raquel@smgpa.cloud](mailto:raquel@smgpa.cloud)

Attorneys for Plaintiff Tissot SA

**VERIFICATION**

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed June 23, 2025, at Ft. Lauderdale, Florida.

  
Virgilio Gigante