

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 25-21814-CIV-BECERRA

TIFFANY (NJ) LLC,

Plaintiff,

vs.

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

Defendants.

**PLAINTIFF'S NOTICE OF INABILITY TO COMPLY
WITH THE JOINT SCHEDULING REPORTS PROVISION SET FORTH IN
THE COURT'S PAPERLESS ORDER REGARDING PROCEDURES**

Plaintiff, Tiffany (NJ) LLC ("Plaintiff" or "Tiffany"), by and through its undersigned counsel, hereby submits its Notice of Inability to Comply with the Joint Scheduling Reports Provision Set Forth in the Court's Paperless Order Regarding Procedures, ECF No. [6], which requires, among other things, that the parties confer and jointly submit a scheduling report, and states as follows:

1. On April 21, 2025, Tiffany filed its Complaint, ECF No. [1], and on September 2, 2025, its Amended Complaint for Damages and Injunctive Relief against Defendants, ECF No. [33].

2. On April 22, 2025, the Court issued a Paperless Order Regarding Procedures, ECF No. [6], which required, among other things, the parties to prepare and file a joint scheduling report within 20 days from the date the last defendant enters an appearance in this action, as required by L.R. 16.1.

3. On September 30, 2025, Tiffany filed its Request for Clerk's Entry of Default as to Defendant, inspiration_wholesaler a/k/a Inspiration Wholesale Factory a/k/a **Bougie products WEI-1** a/k/a wholesale0209 ("Defendant Number 36"), ECF No. [44].

4. Also on September 30, 2025, following Tiffany's Request for Clerk's Entry of Default as to Defendant Number 36, Ni Xue, Esq. filed a Notice of Appearance on behalf of Defendant Number 36, identifying Na Wang as the Defendant, ECF No. [45].

5. On October 1, 2025, the Clerk entered default against Defendant Number 36 for failure to plead or otherwise defend pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, ECF No. [47].

6. Pursuant to the Paperless Order Regarding Procedures and following Ni Xue, Esq.'s appearance on September 30, 2025, Tiffany and Defendant Number 36 are required to file their joint scheduling report by October 20, 2025.

7. Counsel for the parties participated in the scheduling conference in good faith with the intent to finalize a joint scheduling report for filing with the Court on behalf of Tiffany and Defendant Number 36. However, during the conferral process, counsel for Defendant Number 36 notified Plaintiff's counsel that they very recently discovered evidence that the person they represent is, in fact, not Defendant Number 36, but rather an interested third party. Therefore, although all counsel attempted to hold a scheduling conference and prepare a report, it was not possible.

8. Accordingly, Tiffany is unable to comply with the deadline to file joint scheduling report, which was triggered by Ni Xue, Esq.'s appearance on behalf of Defendant Number 36, because Ni Xue, Esq. has determined she is not counsel for Defendant Number 36.

9. Tiffany's counsel was informed that Ni Xue, Esq. intends to immediately withdraw all filed documents, and both counsels have agreed to work together to resolve the matter with respect to the third party represented by Attorney Ni.

10. Counsel for Tiffany will be filing a supplement to their Motion for Entry of Default Final Judgment Against Defendants, ECF No. [51], which is currently pending before the Court, to include Defendant Number 36.

DATED: October 20, 2025.

Respectfully submitted,
STEPHEN M. GAFFIGAN, P.A.

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Attorneys for Plaintiff, Tiffany (NJ) LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 20, 2025, a true copy of the foregoing was served upon Defendant Number 36 via e-mail to the e-mail addresses at which Defendant Number 36 was served and via website posting by posting copies of the same on the Court authorized serving notice website located at the URL: <http://servingnotice.com/TH8uE5/index.html>.

I also HEREBY CERTIFY that on October 20, 2025, a true copy of the foregoing was served via email upon the following:

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