

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 24-23663-CIV-BLOOM**

GOYARD ST-HONORE,

Plaintiff,

vs.

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

Defendants.

**DECLARATION OF T. RAQUEL WIBORG-RODRIGUEZ IN SUPPORT OF
PLAINTIFF'S *EX PARTE* APPLICATION FOR ENTRY OF TEMPORARY
RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND
ORDER RESTRAINING TRANSFER OF ASSETS**

I, T. Raquel Wiborg-Rodriguez, declare and state as follows:

1. I am an attorney for Plaintiff, Goyard St-Honore ("Goyard" or "Plaintiff") in the above captioned action. I submit this declaration in support of Plaintiff's *Ex Parte* Application for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets (the "Application for Temporary Restraining Order") against Defendants, the Individuals, Business Entities, and Unincorporated Associations identified on Schedule "A" to the Application for Temporary Restraining Order ("Defendants"). I am personally knowledgeable of the matters set forth in this declaration and, if called upon to do so, I could and would competently testify to the following facts set forth below.

RE: INVESTIGATION OF DEFENDANTS

2. On Goyard's behalf, my firm retained Invisible Inc, a licensed private investigative firm, to investigate the suspected sales of counterfeit Goyard-branded products by Defendants and

to document the available payment account data for receipt of funds paid to Defendants for the sale of counterfeit Goyard branded products. At the conclusion of the investigation, I received the detailed web pages captured and downloaded by Invisible Inc reflecting each Goyard-branded product ordered¹ via the Internet based e-commerce stores identified on Schedule “A” to the Application for Temporary Restraining Order (the “E-commerce Store Names”) and provided copies of the same to Goyard’s representative, Jean-Laurent Thierry, for review. True and correct copies of the web page captures produced by the Invisible Inc, and provided to my firm thereafter, reflecting samples of the Goyard-branded goods Defendants are promoting, advertising, offering for sale, and selling via the Internet based e-commerce stores operating under the E-commerce Store Names are attached as Composite Exhibit “1” to the Declaration of Kathleen Burns in Support of Plaintiff’s Application for Temporary Restraining Order.

3. My firm obtained the publicly available domain name registration data (“WHOIS” records) for the Internet websites operating under Defendants’ E-commerce Store Names. Additionally, my firm obtained the available e-mail addresses and onsite contact forms identified in connection with Defendants’ respective Internet based e-commerce stores.

RE: EX PARTE RELIEF

4. It has been my experience that in multiple litigations involving online counterfeiting that, in the absence of a temporary restraining order without notice, Defendants can and will significantly alter the status quo before the Court can determine the parties’ respective rights. In particular, the Internet based e-commerce stores at issue herein are under Defendants’ complete control. Thus, Defendants can change the ownership or modify e-commerce store and private messaging account data and content, change payment accounts, redirect consumer traffic

¹ Invisible Inc did not to transmit the funds to finalize the sale for the orders to avoid adding money to Defendants’ coffers.

to other e-commerce store names and private messaging accounts, and transfer assets and ownership of the E-commerce Store Names. Such modifications can happen in a short span of time after Defendants are provided with notice of this action. Thus, Defendants can easily electronically transfer and secret the funds sought to be restrained if they obtain advance notice of Plaintiff's Application for Temporary Restraining Order and thereby thwart the Court's ability to grant meaningful relief and can completely erase the status quo. As Defendants engage in illegal trademark counterfeiting activities, Goyard has no reason to believe Defendants will make their assets available for recovery pursuant to an accounting of profits or will adhere to the authority of this Court any more than they have adhered to federal trademark law. This case is being filed on an *ex parte* basis to prevent such an injustice from occurring herein.

RE: RESTRAINT OF ASSETS

5. Goyard obtained evidence that Defendants use money transfer and retention services with PayPal, Inc. ("PayPal") as a method to receive monies generated through the sale of counterfeit products. Based on past similar cases, I reasonably believe that PayPal has the ability to and will in fact comply with a temporary restraining order of the type now sought by Goyard.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed the 25th day of September, 2024, at Miami Shores, Florida.


T. Raquel Wiborg-Rodriguez