

**United States District Court
Northern District Of Illinois Eastern Division**

Chief Judge Kendall’s Standing Order for “Schedule A” Litigation

The Clerk shall enter this standing order in all “Schedule A” cases. The Court requires strict compliance with these rules. The Court will reject any submission that fails to comply.

1. **“Schedule A.”** This standing order applies to all “Schedule A” cases, defined as any case alleging that multiple defendants (commonly listed in an attachment to the complaint entitled “Schedule A”) engaged in copyright, patent, or trademark infringement.
2. **Temporary Restraining Order.** Plaintiff’s attorney of record shall file a single signed declaration under penalty of perjury sufficient to satisfy the following conditions:
 - a. **Ex Parte Relief:**
 - i. To obtain the extraordinary and drastic remedy of an ex parte temporary restraining order, the declaration must satisfy Federal Rule of Civil Procedure 65(b)(1), including by identifying: (a) each defendants’ sale or offer for sale of the allegedly infringing product(s) within the past two months; (b) the ongoing and immediate harm to plaintiff (e.g., recent listings, transactions, or consumer confusion); (c) a factual link between each defendant and the challenged conduct; and (d) facts supporting plaintiff’s position that notice would likely result in concealment, transfer, or destruction of evidence or assets.
 - b. **Joinder:**
 - i. To satisfy Federal Rule of Civil Procedure 20 warranting joinder of the Schedule A defendants, the declaration must provide specific, non-conclusory facts showing that plaintiff’s claims against each defendant arise from the same transaction or series of transactions and share common questions of law or fact. It must also identify facts linking defendants through a common scheme or interrelated conduct (e.g., shared identifiers, materially identical listings or products, common sources or fulfillment, coordinated platform activity, geographic and logistical overlap, or temporal proximity) sufficient to satisfy Rule 20. *See also Malibu Media, LLC v. Reynolds*, 2013 WL 870618 (N.D. Ill. Mar. 7, 2013).
 - c. **Personal Jurisdiction:**
 - i. The declaration must show that this Court has personal jurisdiction over each defendant—screenshots of websites no longer suffice. *Liu v. Monthly*, 170 F.4th 1090, 1093 (7th Cir. 2026) (“In the context of Schedule A litigation, a defendant’s operation of an online store accessible in the forum state, combined with completed sales in the forum state, has been found sufficient to subject that defendant to personal jurisdiction. . . . However, when assessing a defendant’s online contacts with a forum, we have cautioned that merely operating a website, even a highly interactive website, that is accessible from, but does not target, the forum state is not enough to sustain jurisdiction.”) (cleaned up).

d. Asset Restraint:

- i. In any motion for a temporary restraining order or preliminary injunction in a utility patent case, plaintiff should not seek an asset restraint unless it can show that the Court's order in *ABC Prods. v. Individuals, Corps., Ltd. Liab. Companies, Partnerships, & Unincorporated Associations Identified on Attached Schedule A*, 2024 WL 1549784, at *6 (N.D. Ill. Jan. 9, 2024) does not apply.

e. Bond:

- i. Chief Judge Kendall presumptively requires a bond of \$1,000 per defendant.

f. Third Parties:

- i. Third parties not named in the complaint (e.g., Amazon, eBay, DHgate) cannot be named as in active concert or participation with the defendants unless their active concert or participation is proven and they receive advance notice and an opportunity to be heard before the Court enters any order against them. *See Fed. R. Civ. P. 65(d)(2); Lake Shore Asset Mgmt. Ltd. v. Commodity Futures Trading Comm'n.*, 511 F.3d 762 (7th Cir. 2007).

3. Hague Convention and Electronic Service.

- a. Plaintiff's attorney of record shall file a single signed declaration under penalty of perjury stating whether defendants' addresses are known; and, if not, the efforts plaintiff took to discover the addresses sufficient to warrant electronic service under Federal Rules of Civil Procedure 4 and 5.

4. Default and Default Judgment.

- a. In addition to satisfying the Federal Rules of Civil Procedure, to warrant entry of default and default judgment, plaintiff's attorney of record shall file a single signed declaration under penalty of perjury certifying that all defendants were: (a) served; (b) provided notice of the motion for entry of default or default judgment through the same channels authorized for service; and (c) given a reasonable opportunity to appear and respond within the time permitted by the Court's order. The declaration shall further indicate whether any defendants subject to the motion have responded.

5. Exhibits.

a. Translations:

- i. Exhibits in a foreign language must be filed with an admissible English-language translation. Using Google translate or a similar service does not suffice.

b. Fact-Specific:

- i. Broadly citing to exhibits and images of the plaintiff's intellectual property and defendants' accused products to demonstrate a likelihood of success on the merits of an intellectual property infringement claim, without more, is not helpful and risks delay or denial of a motion. Counsel are strongly encouraged to include in their briefing a meaningful, case-specific analysis of the plaintiff's likelihood of success on the merits of the infringement claims by listing the claim, the specific law that applies to each element, and a meaningful argument (not just a citation to images) as to why plaintiff

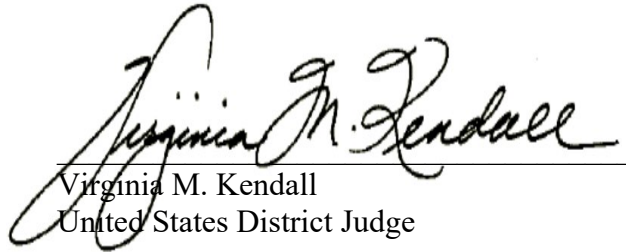
believes the accused product infringes one or more of the plaintiff's intellectual property rights.

6. Single Declaration Requirement.

- a. To satisfy each of the conditions above, plaintiff shall file a single concise declaration.

7. Proposed Orders.

- a. All proposed orders must be in strict compliance with this Court's standing order on "Submitting a Proposed Order, Agreed or Otherwise, for Electronic Entry by the Judge." Any proposed order with drafting or proofreading errors will be summarily rejected. *See Pow! Entm't, LLC v. Defs. Identified on Sched. A*, 2020 WL 5076715 (N.D. Ill. Aug. 26, 2020), *reconsideration denied and subsequent proposed default judgment rejected*, 2020 WL 8455479 (N.D. Ill. Dec. 7, 2020).



Virginia M. Kendall
United States District Judge

Date: May 18, 2026