

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

3M COMPANY,

Plaintiff,

-against-

PERFORMANCE SUPPLY, LLC,

Defendant.

Case No.: 1:20-cv-02949 (JLR)(JW)

Jury Trial Demand

**NOTICE OF PLAINTIFF 3M COMPANY'S
MOTION FOR DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

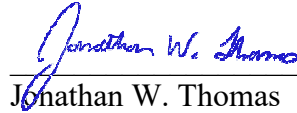
PLEASE TAKE NOTICE that, pursuant to the Court's December 12, 2022 Order (Doc. No. 42), Plaintiff 3M Company ("3M"), by and through its undersigned counsel, will move The Honorable Jennifer L. Rochon, District Judge, United States District Court for the Southern District of New York, United States Courthouse, 500 Pearl St., Courtroom 20B, New York, New York 10007-1312, on a date and at a time that the Court So Orders, based on 3M's accompanying Memorandum of Law, 3M's Proposed Findings of Fact and Conclusions of Law, the Declaration of Jonathan W. Thomas, Esq. (and the exhibits thereto), and the record in this lawsuit, for an Order:

- i. granting default judgment in 3M's favor on the entirety of its Complaint pursuant to FED. R. CIV. P. 58(a);
- ii. entering a permanent injunction against Defendant Performance Supply, LLC ("Defendant") pursuant to 15 U.S.C. § 1116(a); and
- iii. awarding to 3M any further relief that this Court deems just and equitable.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's December 12, 2022 Order, Defendant's opposition, if any, is due by January 27.

Dated: January 13, 2023
New York, New York

MAYER BROWN LLP



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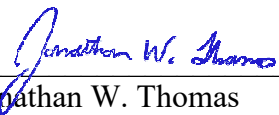
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Attorneys for Plaintiff 3M Company

CERTIFICATE OF SERVICE

I, Jonathan W. Thomas, hereby certify that, on January 13, 2023, I filed a true and correct copy of the foregoing document, titled *Notice of Plaintiff 3M Company's Motion for Default Judgment and Permanent Injunction*, using this Court's ECF Filing System. I also certify that, on January 13, 2023, before filing the foregoing document, I arranged for service of a true and correct copy of it on Defendant Performance Supply, LLC via personal service and First Class Mail at:

Performance Supply, LLC
c/o Ronald Romano
3 Westbrook Way
Manalapan, New Jersey 07726



Jonathan W. Thomas

Attorney for Plaintiff 3M Company