

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THIAGO MELLADO,)	
)	
Plaintiff,)	
)	Civil Action No. 2:26-cv-00420-WSS
v.)	
)	Hon. William S. Stickman IV
SCHEDULE A DEFENDANTS,)	
)	
Defendants.)	

**PLAINTIFF’S FIRST SET OF REQUESTS FOR THE PRODUCTION OF
DOCUMENTS TO NON-PARTY WHALECO INC. d/b/a TEMU**

Pursuant to Federal Rules of Civil Procedure 26 and 34, Federal Rule of Civil Procedure 45, and the Court’s expedited-discovery authorization set forth in paragraphs I.A.9 and III.B of the Temporary Restraining Order entered March 31, 2026 (ECF No. 17), Plaintiff Thiago Mellado hereby requests that Non-Party Whaleco Inc. d/b/a Temu (“Temu”) produce the documents and electronically stored information described below. Temu is required to produce all responsive documents within twenty-one (21) days of service.

DEFINITIONS

As used herein, the following terms have the meanings set forth below:

1. **“Temu”** means Whaleco Inc. d/b/a Temu, including its officers, directors, employees, agents, representatives, predecessors, successors, affiliates, subsidiaries, and all other persons acting on its behalf.

2. **“Xu Declaration”** means the Declaration of Jensen Xu filed as ECF No. 27-2 in this action, including Exhibits A and B (ECF Nos. 27-3 and 27-4).

3. **“Schedule A Defendants” or “Defendants”** means the 426 defendants identified on Schedule A to the Complaint (ECF No. 1) in this action, including the 391 defendants operating Temu storefronts.
4. **“Accused Products”** means the products identified by Temu as matching the Product IDs in Plaintiff’s Schedule A Exhibit, as described in the Xu Declaration ¶ 5.
5. **“Accused Stores”** means the 391 Temu storefronts operated by Schedule A Defendants on Temu’s platform.
6. **“GMV”** means gross merchandise value, as that term is used in the Xu Declaration.
7. **“Document”** means any writing, recording, electronic file, database record, email, spreadsheet, or other item within the meaning of Federal Rule of Civil Procedure 34(a)(1).
8. **“Communication”** means any transmission of information, whether written, oral, or electronic.
9. **“Relating to”** means concerning, referring to, describing, evidencing, or constituting.
10. **“Person”** means any individual, corporation, partnership, limited liability company, association, or other legal entity.
11. **“Identify” (person)** means state the full name, title, employer, and last known contact information.
12. **“Identify” (document)** means state the date, author, recipient, subject matter, and current location or custodian.
13. **“The Action”** means *Thiago Mellado v. The Schedule A Defendants*, Civil Action No. 2:26-cv-00420-WSS (W.D. Pa.).

INSTRUCTIONS

These Requests are served pursuant to Federal Rule of Civil Procedure 34. Temu must respond in writing and produce all responsive documents within twenty-one (21) days of service.

1. Each Interrogatory/Request shall be construed independently and not by reference to any other Interrogatory/Request for purposes of limitation.
2. If any Interrogatory/Request cannot be answered or complied with in full, it shall be answered or complied with to the fullest extent possible, specifying the reason for any inability to answer or produce fully and stating whatever information or documents are available.
3. If Temu objects to part of an Interrogatory/Request, Temu shall answer or produce documents in response to the remainder.
4. These Interrogatories/Requests are continuing in nature. If Temu obtains additional information responsive to any Interrogatory/Request after serving its initial responses, Temu shall supplement its responses promptly.
5. If any document responsive to any Request is withheld on the basis of privilege or work product protection, Temu shall provide a privilege log identifying the document by date, author, recipient, general subject matter, and the basis for the claim of privilege.
6. Unless otherwise specified, the relevant time period for these Interrogatories/Requests is January 1, 2023, through the date of Temu's response.

DOCUMENT REQUESTS

REQUEST NO. 1: All Documents within the categories described in Section III.B of the Court's TRO (ECF No. 17) underlying Exhibits A and B to the Xu Declaration (ECF Nos. 27-3 and 27-4), to the extent those Documents constitute or reflect any Defendant's sales history, listing history,

and financial information associated with that Defendant's User Account and Merchant Storefront, within the meaning of paragraph III.B(3) of the TRO.

Response:

REQUEST NO. 2: For each of the 391 Accused Stores, all account registration records and any other records maintained by Temu that identify the Defendant operating that Store, including seller identity information (name, address, email address, phone number, government identification), business registration documents, identity-verification materials, and all records identifying any other Temu storefront, seller account, or beneficial owner that Temu has linked to that Accused Store and that has not previously been provided to Plaintiff, as authorized by paragraphs III.B(1) and III.B(2) of the Court's TRO (ECF No. 17).

Response:

REQUEST NO. 3: For each of the 391 Accused Stores, all financial records in Temu's possession, including records of Gross Merchandise Value, actual sales revenue, platform fees, chargebacks, funds held in Temu's escrow or payment-processing systems, and any pending or transferred payments.

Response:

REQUEST NO. 4: For each of the 391 Accused Stores, all records of financial accounts and payment processor accounts associated with the store operator, including account numbers, account holders, connected bank accounts, and financial institution identifiers.

Response:

REQUEST NO. 5: For each of the 391 Accused Stores, all records reflecting the Defendant's unauthorized and unlicensed use of Plaintiff's Works in connection with the distribution, marketing, advertising, offering for sale, or sale of any products, including records showing the date each listing was created, the date each listing was removed or taken down, and the reason recorded by Temu for that removal, as authorized by paragraph III.B(4) of the Court's TRO (ECF No. 17).

Response:

REQUEST NO. 6: All Communications between Temu (or its employees, agents, or counsel) and any Schedule A Defendant relating to the Defendant's identity, location, or contact information, or relating to that Defendant's alleged infringing activity on Temu's platform, as authorized by paragraphs III.B(2) and III.B(4) of the Court's TRO (ECF No. 17).

Response:

REQUEST NO. 7: All records identifying the account(s) holding the funds restrained pursuant to the TRO; the current balance(s) in those accounts; all transactions affecting those balances since entry of the TRO; the amount and location of each Defendant's assets in Temu's control; and all records identifying the bank or routing numbers, third-party payment service providers (including Payoneer and Wise), and dates and amounts of funds last sent to or from each Defendant's seller account, as authorized by paragraphs I.A.9(a)–(f) and III.B(3) of the Court's TRO (ECF No. 17).

Response:

REQUEST NO. 8: For each of the 391 Accused Stores, a full accounting of each Defendant's sales history and listing history under that Defendant's User Account and Merchant Storefront,

including for each product listing: the listing or Product ID, listing title and description, listing creation date, takedown date and reason (if any), category, price history, gross merchandise value, unit sales count, and revenue, as authorized by paragraph III.B(3) of the Court's TRO (ECF No. 17).

Response:

Dated: May 22, 2026

Respectfully submitted,

/s/ Stanley D. Ference III

Stanley D. Ference III

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FERENCE & ASSOCIATES LLC

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2026, a true and correct copy of the foregoing was served as follows:

1. Upon counsel for Non-Party Whaleco Inc. d/b/a Temu via electronic mail at the address(es) of Zachary J. Watkins, Esq. (zwatkins@rjglaw.com), Thomas J. Campenni, Esq. (tcampenni@rjglaw.com), and Marko R. Zoretic, Esq. (marko.zoretic@knobbe.com), and legal@temu.com; and
2. Upon the Defendants identified on Schedule A to the Complaint, pursuant to Federal Rule of Civil Procedure 45(a)(4), by electronic publication to Plaintiff's designated case website, <https://ferencelawsuit.com>.

/s/ Stanley D. Ference III
Stanley D. Ference III