

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

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| |) | |
| MAGBAG LLC, |) | Case No.: 3:25-CV-01376 |
| |) | |
| Plaintiff, |) | Judge: Waverly D. Crenshaw, Jr. |
| |) | |
| v. |) | |
| |) | Magistrate Judge: Barbara D. Holmes |
| THE ENTITIES, PARTNERSHIPS, AND |) | |
| UNINCORPORATED ASSOCIATIONS |) | |
| LISTED ON SCHEDULE A, |) | JURY DEMAND |
| Defendants. |) | |

PLAINTIFF’S AFFIDAVITS, WITNESS LIST, AND EXHIBIT LIST

Pursuant to the Court’s Order entered on January 27, 2026 (D.E. 35), Plaintiff MagBag LLC (“Plaintiff”), hereby provides its testimonial submissions in preparation for the Preliminary Injunction hearing scheduled for February 3, 2026.

Plaintiff discloses the following requested materials:

1. **Affidavits.** Plaintiff intends to rely upon the following unsworn declarations, provided under 28 U.S.C. § 1746, which have been previously filed on the docket.
 - a. Declaration of Kyle Lozinski in support of Plaintiff’s Motion for *Ex Parte* Temporary Restraining Order (D.E. 16), entered on December 22, 2026.
 - b. Declaration of G. Edward Powell III in support of Plaintiff’s Motion for *Ex Parte* Temporary Restraining Order (D.E. 15), entered on December 22, 2026.
 - c. Declaration of Julianna Ellerbrock in support of Plaintiff’s Motion for Preliminary Injunction (D.E. 31), entered on January 20, 2026.

2. **Witness List.** Plaintiff does not intend to solicit live testimony.

3. **Exhibit List.** Plaintiff intends to rely upon the following exhibits which have been previously filed on the docket.

| Plaintiff's Exhibit No. | Document Title and Docket Cite |
|--------------------------------|---|
| 1 | U.S. Patent No. D1,087,596 (D.E. 11.1) |
| 2 | Copyrighted Images and Registrations (D.E. 11.2) |
| 3 | Magnetic Bag Company Trademark Registration (D.E. 11.3) |
| 4 | Infringing Listing Screenshots (D.E. 15.1) |
| 5 | Authentic Product Pictures (D.E. 15.2) |
| 6 | Infringing Product Test Purchase Photos (D.E. 15.3) |
| 7 | Test Purchase Code Mapping Table (D.E. 15.4) |
| 8 | Proof of Service of Complaint and Summons (D.E. 27.1) |
| 9 | Additional Proof of Service of Complaint and Summons (D.E. 28.1) |
| 10 | Status of Service of Complaint and Summons (D.E. 28.2) |
| 11 | Proof of Service of Order Setting Preliminary Injunction Hearing (D.E. 37.1) |
| 12 | Status of Service of Order Setting Preliminary Injunction Hearing (D.E. 37.2) |

Dated: February 2, 2026

Respectfully submitted,

/s/ G. Edward Powell III

Chanelle Acheson (TN BPR #30008)

W. David Bridgers (TN BPR #16603)

G. Edward Powell III (CA Bar #324530)

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Counsel for Plaintiff MagBag LLC

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2026, a true and correct copy of the foregoing Plaintiff's Affidavits, Witness List and Exhibit List has been filed electronically with the Court using the CM/ECF system, which will send notification of such filing to all counsel of record and pro se parties who have consented to such service. Service on Defendants who have not appeared will be made by publication on a designated website which said Defendants have been notified of via email.

/s/ G. Edward Powell III

G. Edward Powell III