United States District Court of the

Eastern District of Michigan

Mr. Sawyer, Owner of Sweet Lorraine’s Systems, LLC

1100 Snarl Avenue, Suite 310

Detroit, MI 42330

Plaintiff

v. Index No:2013-77569

Christine, Donnelly, Owner of Sweet Lorraine’s Bakery, LLC

220 West Boulevard

Charlotte, NC 28277

Defendant

**Litigation: Notice of Motion for Change of Venue**

PLEASE TAKE NOTICE that upon the attached Motion for Summary Judgement the supporting material referred to therein and the Memorandum of Law in support thereof Defendant, Christine Donnelly, Owner of Sweet Lorraine’s Bakery, LLC will move this court before Honorable Judge Denise Page Hood, U.S.D J in Court Rm 456, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit Michigan on this day August 18, 2020 at 10am or as soon thereafter as counsel may be heard, at the United States Michigan Circuit Court, Wayne County, for entry of an order pursuant to ([28 U.S.C. §§ 1404](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:8SG9-5HW2-D6RV-H0J2-00000-00&context=), [1406](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:8SG9-5HW2-D6RV-H0J4-00000-00&context=)) transferring this action to the United States District Court for the Eastern District of Michigan

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_

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Attorney for Plaintiff

United States District Court of the

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**Affidavit in Support of Motion for Change of Venue**

State of Michigan

County of Detroit

The undersigned, being duly sworn deposes and says:

1. I am the attorney at law and a member of the bar of this court, I represent the defendant in this action.
2. From the complaint in this action, the Jurisdiction and Venue are of the complaint it is my professional opinion that this action will draw into question the scope, validity, and effect, of the rules, and regulations, and ordinances of Michigan Circuit Court, Wayne County. The federal and state courts sitting in the State of Michigan have greater familiarity with these rules of law and their application that does this court.
3. From the complaint it also appears that the Plaintiff, Sweet Lorraine’s System, LLC is suing the Defendant not only for trademark infringement, occasioned by sale of infringing products by the defendant, the plaintiff is also suing for attorney fees and cost occurred in connection with this action. It will, therefore, be necessary to call many other persons as witness for the defendant.
4. There are many other witnesses, including employees and clients whose testimony will be necessary on behalf of the defendant if this action is tried. It is expected that these persons be called for the purpose of testifying to the following matters, among others that Ms. Donnelly did not infringe on the tradename Sweet Lorraine’s and that all goods made did not reference to that of Sweet Lorraine’s System, LLC nor was there any intent to cause confusion.
5. All the witnesses described in paragraphs 4 above reside in and about the City of Charlotte, North Carolina and, consequently, are beyond the reach of the processes of this court. Defendant would have no way to compel them to attend a trail here.
6. One of the principal defenses to be interposed by the defendant in this action will be that it was not in fact, responsible for the damages alleged in the complaint. If the action is allowed to proceed in this court, this essential party will be beyond the personal jurisdiction of the court, as well as beyond the subpoena power of the court.
7. The moving defendant, Christine Donnelly is a sole proprietor with its principal business in Charlotte, North Carolina. Therefore, this action is not only brought in a forum other than the one in which the events giving rise to the claim occurred, it is also brough in a forum other than the one in which the defendant resides.
8. Judicial economy would be served by the transfer of this action to the United States District of the Eastern District of Michigan because several actions have already been filed in the Wayne County Circuit Court in the State of Michigan. The captions of these actions are:

Trademark Infringement- U.S.C. section 1114

Federal Trademark Dilution -15 U.S.S section 1125(c)

False Designation of Origin-15 U.S.C section 1125(a)

Common Law Trademark Infringement

Common Law Unfair Competition

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Lisa Howard

Notary Seal

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Notary Signature

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Supporting Brief -Statement of the Case

On August 2020, the plaintiff filed a complaint with the Wayne County Circuit Court in the State of Michigan. The Defendant was served with Summons and Complaints on July 26, 2020. Alleging Trademark infringement under the following five actions

Trademark Infringement- U.S.C. section 1114

Federal Trademark Dilution -15 U.S.S section 1125(c)

False Designation of Origin-15 U.S.C section 1125(a)

Common Law Trademark Infringement

Common Law Unfair Competition

Because the law the Ms. Donnelly was alleged of falls under federal law, we are requesting that the courts move this trail to the United States Courts for the Eastern District of Michigan which has jurisdiction over both parties in this case under [28 U.S.C. §§ 1404](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:8SG9-5HW2-D6RV-H0J2-00000-00&context=), [1406](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:8SG9-5HW2-D6RV-H0J4-00000-00&context=).

Each action that pursuant to this case has not been identified based on the evidence that has been received by the Sawyers. Ms. Donnelly did everything legally right when started this business as we were the once that helped her prepare the paperwork. The fact the laws attached to this case are federal laws and the jurisdiction of the court is federal support each attached documents in order have this case moved to the appropriate court.

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Lisa Howard, Managing Partner