

Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHENZHEN ROOT TECHNOLOGY CO., LTD.,
HONG KONG LUTE TECHNOLOGY CO.,
LIMITED, AND SHENZHEN CONGLIN E-
COMMERCE CO., LTD.,

Plaintiffs,

v.

CHIARO TECHNOLOGY Ltd.,

Defendant.

Case No. 2:23-cv-631

CHIARO TECHNOLOGY LTD.,
Counterclaim Plaintiff,

v.

SHENZHEN ROOT TECHNOLOGY CO., LTD.,
HONG KONG LUTE TECHNOLOGY CO.,
LIMITED, SHENZHEN CONGLIN E-
COMMERCE CO., LTD, SHENZHEN ROOT E-
COMMERCE CO., LTD., SHENZHEN TPH
TECHNOLOGY CO., LTD., SHENZHEN
JINRUIXING TECHNOLOGY CO., LTD.,
SHENZHEN LUTEJIACHENG NETWORK
TECHNOLOGY CO., LTD., and SHENZHEN
JINRUIHANG TECHNOLOGY CO., LTD.,

Counterclaim Defendants.

SUGGESTION OF BANKRUPTCY
CASE No. 2:23-CV-631

LOWE GRAHAM JONES PLC


1325 Fourth Avenue, Ste. 1130
Seattle, Washington 98101
206.381.3300 • F: 206.381.3301

SUGGESTION OF BANKRUPTCY

PLEASE BE ADVISED that, on April 11, 2025 (the “Petition Date”), Lindsay Hallam, Matthew Boyd Callaghan, and Oliver Wright of FTI Consulting LLP, in their capacity as the duly authorized joint administrators (the “Foreign Representatives”) of Chiaro Technology Limited (in Administration) (the “Foreign Debtor”), a debtor in administration under English law (the “English Proceeding”) under the Insolvency Act 1986, sealed and endorsed by the High Court of Justice, Business and Property Courts in Leeds, Insolvency and Companies List, filed petitions under chapter 15 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) (Case No. 25-10691 (BLS)) for recognition of the English Proceeding.

PLEASE BE FURTHER ADVISED that, on the Petition Date, the Foreign Representatives also filed the *Motion of the Foreign Representatives for Provisional Relief under Section 1519 of the Bankruptcy Code* [D.I. 3] (the “Provisional Relief Motion”), seeking provisional relief from the Bankruptcy Court to apply section 362 of the Bankruptcy Code with respect to the Foreign Debtor and its property interests within the territorial jurisdiction of the United States.

PLEASE BE FURTHER ADVISED that the Bankruptcy Court held an emergency hearing on the Provisional Relief Motion on April 15, 2025, at 11:00 a.m. (ET) (the “Hearing”). At the conclusion of the Hearing, the Bankruptcy Court issued an oral bench ruling granting the Provisional Relief Motion staying the above-captioned case until the Bankruptcy Court rules on the *Motion of the Foreign Representatives for Chapter 15 Recognition and Final Relief* [D.I. 5]. Subsequent to the Hearing, the Bankruptcy Court entered an order [D.I. 14] (the “Provisional Relief Order”)

1 memorializing the oral bench ruling. A true and correct copy of the Provisional Relief Order is
2 attached hereto as **Exhibit A**.

3 **PLEASE BE FURTHER ADVISED** that any action taken in the above-captioned case or
4 without obtaining relief from the automatic stay from the Bankruptcy Court may be subject to
5 findings of contempt and the assessment by the Bankruptcy Court of penalties, fines, and/or
6 sanctions, as may be appropriate.

7 Dated: April 17, 2025
8 Seattle, Washington

Respectfully submitted,

9 /s/ Mark P. Walters

Mark P. Walters, WSBA No. 30819

Mitchell D. West, WSBA No. 53103

Lowe Graham Jones PLLC

10 *walters@LoweGrahamJones.com*

west@LoweGrahamJones.com

11 1325 Fourth Avenue, Suite 1130

Seattle, WA 98101

12 T: 206.381.3300

13 F: 206.381.3301- and -

14 Nirav N. Desai (*pro hac vice*)

Josephine Kim (*pro hac vice*)

15 Joseph Kim (*pro hac vice*)

Sterne, Kessler, Goldstein & Fox PLLC

16 1101 K Street, NW

10th Floor

Washington, D.C. 20005

17 T: 202.371.2600

18 F: 202.371.2540

19 *Attorneys for Defendant Chiaro Technology, Ltd*

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

CHIARO TECHNOLOGY LIMITED (in
Administration),¹

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 25-10691 (BLS)

Related Docket No.: 3

**ORDER GRANTING MOTION OF THE FOREIGN REPRESENTATIVES FOR
PROVISIONAL RELIEF UNDER SECTION 1519 OF THE BANKRUPTCY CODE**

Upon consideration of the *Motion of the Foreign Representatives for Provisional Relief under Section 1519 of the Bankruptcy Code* [D.I. 3] (the “Motion”)² filed by Lindsay Hallam, Matthew Boyd Callaghan, and Oliver Wright of FTI Consulting LLP, in their capacity as the Foreign Representatives of the Foreign Debtor, for an order (this “Order”) granting provisional relief under section 1519 of the Bankruptcy Code; and upon consideration of the Memorandum of Law, the Petition, and the Hallam Declaration; and upon consideration of any responses to the Motion; and after due and sufficient notice of and hearing on the Motion, and upon the record established at the hearing held on April 15, 2025 (the “Hearing”); and it appearing that the relief requested in the Motion is necessary to avoid immediate and irreparable harm to the Foreign Debtor; and it appearing that the relief requested in the Motion is necessary and beneficial to the Debtor and its stakeholders; and no objections or other responses having been filed that have not been overruled, withdrawn or otherwise resolved; the Motion having been noticed and heard on an emergency basis; and for the reasons stated on the record at the Hearing; and after due deliberation and sufficient cause appearing therefor,

¹ The Foreign Debtor’s mailing address and principal place of business is 1 Brunswick Square, Bristol BS2 8PE, England.

² Capitalized terms used but not defined in this Order have the meaning provided in the Motion.

IT IS HEREBY ORDERED:

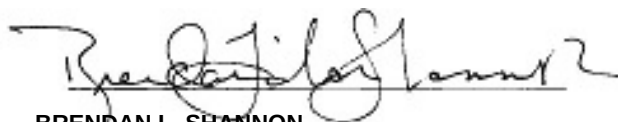
1. Section 362 of the Bankruptcy Code shall apply with respect to the Foreign Debtor in the action styled *Shenzhen Root Tech. Co., Ltd. et al. v. Chiaro Tech., Ltd.*, 2:23-cv-00631, pending in the United States District Court for the Western District of Washington (the “Washington Litigation”). The Washington Litigation shall be stayed until this Court rules on the *Motion of the Foreign Representatives for Recognition of Foreign Proceeding and Related Relief* [D.I. 5].

2. Notice of this Order shall be provided to (a) counsel to all named parties in the Washington Litigation; (b) the Office of the United States Trustee for Region 3; (c) all persons or bodies authorized to administer the English Proceeding; (d) the clerk of the United States District Court for the Western District of Washington, (e) any other parties of which the Foreign Representatives become aware that are required to receive notice under Bankruptcy Rule 2002(q); and (f) such other entities as this Court may direct to satisfy the requirements of Bankruptcy Rule 2002(q). In light of the nature of the relief approved in this Order, no other or further notice need be given.

3. This Order shall be effective immediately and enforceable upon entry, and the Foreign Representatives are authorized to take action necessary to implement and effectuate the terms of this Order.

4. This Court shall retain jurisdiction with respect to the enforcement, interpretation, or modification of this Order.

Dated: April 17th, 2025
Wilmington, Delaware



BRENDAN L. SHANNON
UNITED STATES BANKRUPTCY JUDGE