

EXHIBIT 2004

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HAPPY PRODUCTS, INC.,

Plaintiff,

v.

ONTEL PRODUCTS CORPORATION;
BOSCOV'S DEPARTMENT STORE,
LLC; BJ'S WHOLESALE CLUB, INC.;
AND UNBEATABLESALE.COM, INC.,

Defendants.

Civil Action No. 2:24-cv-09819-EP-JRA

Motion Day: April 21, 2025

Oral Argument Requested

Document Filed Electronically

**DEFENDANTS' NOTICE OF RULE 12(b)(6) MOTION TO DISMISS THE
AMENDED COMPLAINT AND RULE 12(f) MOTION TO STRIKE**

PLEASE TAKE NOTICE that on, **Monday, April 21, 2025**, or soon or soon thereafter as the Court deems appropriate, Defendants Ontel Products Corp. (“Ontel”), Boscov’s Department Store, LLC (“Boscov’s”), BJ’s Wholesale Club, Inc. (“BJ’s”), and Unbeatable.com, Inc. (“Unbeatable”), shall move before Honorable Evelyn Padin, United States District Court Judge, sitting at the Martin Luther King Federal & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for the entry of an order Granting Defendants’ Rule 12(b)(6) Motion to Dismiss several legal claims from Plaintiff’s Amended Complaint against the Defendants, and Defendants’ Rule 12(f) Motion to Strike impertinent allegations that falsely conflate Defendant Ontel with former-Defendant Telebrands Corporation (“Telebrands”), and impertinent and scandalous allegations that allege “facts” about unrelated legal disputes.

PLEASE TAKE FURTHER NOTICE that Defendants shall rely upon the accompanying Brief, Declaration of Ariel S. Peikes and exhibits annexed thereto, as well as all pleadings in this matter and all papers submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of order is submitted herewith.

Dated: March 28, 2025

/s/ Katherine A. Escanlar

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