IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER, COUNTY, FLORIDA

KLODJAN DOLLMA, on behalf of himself and all others similarly situated, Plaintiff, v. LENA WALTER, CRYPTOHEROM, and JOHN DOE NOS. 1-25 Defendants.	Case No. 11-2024-CA-000641-0001-XX **CLASS REPRESENTATION**

PLAINTIFF'S EX PARTE VERIFIED MOTION FOR CLASS CERTIFICATION AND MEMORANDUM OF LAW

Pursuant to Rule 1.220(b)(3) of the Florida Rules of Civil Procedure, Plaintiff individually, and as Representatives of a Class of all similarly situated others (collectively "Plaintiffs"), by and through their undersigned attorneys, file this Motion for Class Certification, pursuant to Florida Rule of Civil Procedure 1 220, and as grounds states.

Plaintiffs are individuals residing in the State of Florida who have been victims of "pig butchering" and have had cryptocurrency stolen from Defendants through the platform Cryptoherom and cryptoherom.com.

The Defendants are persons or entities who engage in widespread pig butchering scams to defraud persons like Mr. Dollma and others that are similarly situated using the platform Cryptoherom and cryptoherom.com.

I. THE COMPLAINT

The operative complaint is the original Complaint. It contains claims for conversion and permanent injunctive relief. The operative complaint involves facts identical to each

prospective Class Member arising out of the Defendants' widespread pig butchering scheme using the platform Cryptoherom and cryptoherom.com. .

II. CLASS DESCRIPTION

All Plaintiffs and members of the Class are known to the Defendants, who methodically entrapped the Class Members into investing in the platform Cryptoherom and cryptoherom.com in order to ultimately steal the funds from their cryptocurrency wallets. The Defendants have been served and have no responded to the Complaint.

A. Proposed Class

Plaintiffs ask this Court to certify the following Classes of persons who seek class certification in the operative complaint as Members of the Proposed Class , all of whom constitute victims of Defendants' pig butchering scheme through their use of the Cryptoherom platform and cryptoherom.com, and who are entitled to the return of the funds stolen from them that are currently held in Defendants' OKX wallets that were identified by Plaintiff through Inca.

Proposed Class is defined as:

All persons whose property was converted by Defendants using the CryptoHerom platform and cryptoherom.com and ended up in the OKX wallets referenced in the Complaint.[1]

III. BACKGROUND

This case is about the theft of cryptocurrency using a scheme known as "pig butchering." The scheme is centered around "CryptoHerom," a fake cryptocurrency trading platform, including the website cryptoherom.com. Defendants used CryptoHerom to lure a common class of victims ("Class Members") to transfer funds to crypto wallets controlled by Defendants. This class action is brought to freeze crypto wallets containing Class Member funds that Defendants

[1] The wallets that have been identified are attached to Appendix A of the Complaint, although there may be additional wallets controlled by Defendants that received converted class members' property.

converted, and then return these funds to Class Member victims. The Court has granted the Plaintiffs' preliminary injunction in this case to freeze the OKX wallets containing Plaintiffs' and Class Members' funds that were identified by Plaintiffs in the Complaint.

Plaintiff Dollma is a resident of Naples, FL. Like other similarly situated Class Members, Plaintiff was tricked by one or more individuals, including a person identifying herself as Lena Walter ("Walter"), one or more persons or entities affiliated with the CryptoHerom platform ("CryptoHerom"), and other unknown persons, John Does Nos. 1-25, as part of a common scheme to transfer funds to crypto wallets controlled by Defendants through the CryptoHerom platform.

The scheme with Plaintiff began on or about August 23, 2023, when Walter first contacted Plaintiff through Facebook. Plaintiff and Walter then engaged in conversation on a daily basis. Walter stated that she engaged in cryptocurrency trading on the side and suggested that Plaintiff should try it. Walters then introduced Plaintiff to CryptoHerom and he initially agreed to try the platform with a deposit of $1,050.

On August 31, 2023, Plaintiff transferred $1,050 from his Coinbase wallet 0x7c195D981AbFdC3DDecd2ca0Fed0958430488e34 to a Crypto.com DeFi application that then connected directly to cryptoherom.com wallet 0xdAC17F958D2ee523a2206206994597C13D831ec7

Walters then explained that Plaintiff could withdraw funds from CryptoHerom and that she would assist Plaintiff with loans if necessary. Through his online "account" at CryptoHerom, Plaintiff was able to check details about his "account," including the amount of cryptocurrency and his returns. After his initial investment appeared to generate a profit, Plaintiff

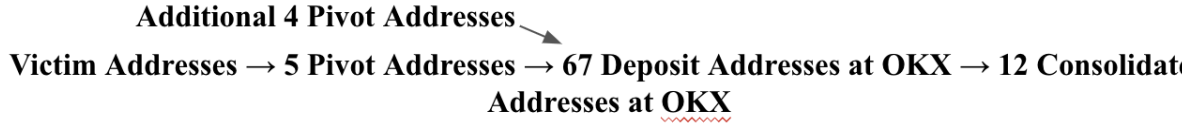
deposited additional funds. Walter persuaded Plaintiff to obtain a "loan" through CryptoHerom as well, and then to send additional funds to repay this "loan."

Defendants also falsely promised Plaintiff additional profits for referring new investors. Walter persuaded Plaintiff to recommend CryptoHerom to friends and family members, using the same "DeFi" application Plaintiff had used, and transferring their funds through cryptoherom.com. Plaintiff unwittingly convinced his friends and family to participate in the scam, as follows: Plaintiff's cousin, Indrit Vogli: $102,103; Plaintiff's uncle, Shkelzen Vogli: $136,730; Plaintiff's friend, Rei Culi: $1,000.

In aggregate, Plaintiff transferred $410,000 from his accounts through the CryptoHerom platform. Plaintiff's final contact with Walter was on November 11, 2023. Plaintiff and other Class Members were subsequently blocked from accessing their CryptoHerom accounts. Plaintiff subsequently contacted Inca Digital ("Inca"), a cryptocurrency investigation firm, which traced his transactions and confirmed that CryptoHerom was orchestrating a "pig butchering" scheme. As described below, Plaintiff also engaged Inca to investigate other CryptoHerom transactions and found that these transactions were part of a common scheme to convert Class Member funds.

Based on the investigation to date, the total amount of Class Plaintiffs' funds converted by Defendants is approximately $38 million. This amount was calculated based on a three-step analysis: (1) identifying the addresses that initially received Plainitff's cryptocurrency (the "Pivot Addresses"); (2) tracking the transfer of funds from those pivot addresses to 67 deposit wallet addresses at OKX, a cryptocurrency trading venue, (the "Deposit Addresses"); (3) tracing transactions from the 67 Deposit Addresses to 12 consolidated wallet addresses, also at OKX, (the "Consolidated Addresses"), and (4) identifying additional Pivot Addresses that

followed the same deposit pattern. The 67 deposit addresses and the 12 consolidated wallet addresses were determined based on the criteria below.



The investigation also uncovered "smart contract" computer code from cryptoherom.com. This code permitted Defendants to withdraw unlimited amounts of cryptocurrency from Class Members' wallets. One or more Defendants appear to have left this code open on cryptoherom.com inadvertently, leaving behind the cryptocurrency equivalent of "fingerprint" evidence of their common scheme to convert Class Member funds.

To date, the investigation has identified the wallet addresses set forth in Appendix A of the Complaint filed in this case, as part of the common "pig butchering" allegations centered around CryptoHerom.

The Defendants in this case have all been served and have not filed any response to the Complaint. The Plaintiff and Class Members are filing a motion for default against Defendants contemporaneous to the instant Motion.

IV. CLASS CERTIFICATION IS WARRANTED

A. Legal Standard

Florida class actions are governed by Rule § 1.220 of the Florida Rules of Civil Procedure, which rule is modeled after Rule 23 of the Federal Rules of Civil Procedure. See Johnson v.

Plantation General Hosp. Ltd. Partnership, 641 So. 2d 58, 59 (Fla. 1994) Florida courts look to federal cases as persuasive authority in interpreting Rule 1.220. Commonweatlh Land Title Inc. Co. v. Higgins, 975 So. 2d 1169, 1175 (Fla. 1st DCA 2008) ("Florida has a long standing tradition of relying on federal [class action] case law" when construing Rule § 1.220.). As such, our courts consistently interpret Rule § 1.220 in a manner which is consistent with federal court construction of Rule 23. See Powell v. River Ranch Property Owners Ass 'n, Inc., 522 So. 2d 69, 70 (Fla. 2d DCA 1988); Broin v. Philip Morris Companies, Inc., 641 so. 2d 8887 889 (Fla. DCA 1994).

Courts cannot conduct a preliminary inquiry into the merits of the case in deciding whether to certify the class. Eisen v. Carlisle and Jacquelin, 417 U.S. 156, 177 (1974). Instead, for class certification purposes, courts are obligated to accept the plaintiff s factual allegations as true. See Broin v. Philip Morris Companies, Inc., 641 So. 2d 888 (Fla. 3d DCA 1994); Estate of Bobinger v. Deltona Corp. , 563 so. 2d 739, 743 (Fla. 2d DCA 1990).

B. THE COMPLAINT SATISFIES CLASS ACTION REQUIREMENTS.

Rule § 1.220(a) sets forth the prerequisites for obtaining class certification:

> One or more members of a class may sue or be sued as representative parties on behalf of all, only if:
>
> (l) The class is so numerous that joinder of all members is impractical;
> (2) There are common questions of law or fact common to the class;
> (3) The claims or defenses of the representative parties are typical of the claims or defenses of the class; and
> (4) The representative parties will fairly and adequately protect and represent the interests of the class.

These prerequisites are commonly referred to as numerosity, commonality, typicality, and adequacy of Representation. All prerequisites are met here, as there are at least so far sixty-seven (67) OKX addresses identified that received stolen funds as part of the

Defendants' pig butchering scheme, that all share a similar scheme to that of Mr. Dollma's and the funds were stolen by Defendants using the Crypotherom platform and cryptoherom.com.

1. Numerosity.

To satisfy the numerosity requirement, the proposed class must be so numerous that joinder of all members is impractical. A plaintiff does not have to prove the exact size of the proposed class, but simply needs to demonstrate that "the number is exceedingly large, and joinder impractical." In re Alexander Grant & Co. Litigation, 110 F R.D. 528, 533-534 (S D. Fla. 1986). In Smith v. Glen Cove Apartments Condominiums Master Ass'n, Inc., 847 So. 2d 1107 (Fla. 4th DCA 2003), the Court determined that a class of approximately 100 members who were low income housing residents met the numerosity requirement in a claim against owner/lessors of the condominiums for failure to maintain the roofs of the condominium complex. The Smith court noted that the numerosity requirement is tied to the impracticality of joinder of the individual claims. In Smith, the Court explained that impracticality of joinder does not mean impossibility of joinder, but instead it is sufficient if it is inconvenient or difficult to join all members of the class in a single action.

The U.S Court of Appeals for the Eleventh Circuit held that while there is no fixed numerosity rule, generally less than 20 is inadequate and more than 40 is adequate. Cox v. American Cast Iron Pipe Co., 784 F.2d 1546, 1553 (l1th Cir. 1986). See Maner Properties, Inc. v. Siksay, 489 So. 2d 842 (Fla. 4th DCA 1986) (classes with 40 members meet the numerosity requirement for class treatment). The number of class members in this case meets this standard because the number of prospective class members is at least sixty-seven (67), which have already been identified by the Plaintiff through Inca's research. See Appendix "A" to the Complaint.

2. Commonality.

Rule § 1.220(a) requires that class members have questions of law and fact in common. In Smith v. Glen Cove Apartments Condominiums Master Ass'n, Inc., 847 So. 2d 1107 (Fla. 4th DCA 2003), the Court stated:

> The primary concern in determining commonality is whether the representative member's claim arise from the same course of conduct that give rise to the other claims and whether the claims are based on the same legal theory. See Terry L. Braun, P.A. v. Campbell, 827 so. 2d 261, 267 (Fla. 5th DCA 2002).

The threshold for this requirement is not high, and the rule requires only that the resolution of the common questions affect all or a substantial number of class members. See McFadden v. Staley, 687 So. 2d 357, 359 (Fla. 4th DCA 1997); Broin v. Phillip Morris, supra; Paladino v. American Denial Plan, Inc., 697 so. 2d 897, 898 (Fla. 1st DCA 1997); W.S. Badcock Corp. v. Myers, 696 So. 2d 776, 780 (Fla. 1st DCA 1996) (finding commonality where all class members had the same right of recovery based on the same financing terms). As stated in Broin v. Phillip Morris Cos., 641 So. 2d at 890:

> "The threshold of 'commonality' is not high. Aimed in part at 'determining whether there is a need for combined treatment and a benefit to be derived therefrom, ' the rule requires only that resolution of the common questions affect all or a substantial number of the class members." Jenkins v. Raymark Indus., Inc., 782 F .2d 468, 473 (5th Cir. 1986) (citations omitted). Rule 1.220 does not require denial of class certification "merely because the claim of one or more class representative arises in a factual context that varies somewhat from that of other plaintiffs. " Powell v. River Ranch Property Owners Ass'n, Inc., 522 So.2d 69, 70 (Fla. 2d DCA).

The class in this case meets the threshold.

Commonality is not the same as being identical. Rarely are claims of individual plaintiffs identical, but they are regularly common when based on the same facts or incident. Broin explained this, 641 So. 2d at 891-892:

> It would be a perversion of the spirit behind rule 1.220, and the cases interpreting the rule, to hold, as defendants urge, that plaintiffs' class action allegations fail because plaintiffs do not present identical claims. If class actions were dependent on class members presenting carbon copy claims, there would be few, if any, instances of class action litigation. It is virtually impossible to design a class whose members have identical claims. Even in the context of a mass disaster, each afflicted member

> experiences the impact differently, according to the member's relative location and proximity to the event. Defendants' proposed holding would nullify the class action rule, a course of conduct we decline to follow.
>
> "The very purpose of a class suit is to save a multiplicity of suits, to reduce the expense of litigation, to make legal processes more effective and expeditious, and to make available a remedy that would not otherwise exist." Tenney v. City of Mami Beach, 11 So.2d 188, 189 (Fla. 1942). Here, as in Tenney, if we were to construe the rule to require each person to file a separate lawsuit, the result would be overwhelming and financially prohibitive. Although defendants would not lack the financial resources to defend each separate lawsuit, the vast majority of class members, in less advantageous financial positions, would be deprived of a remedy. We decline to promote such a result.

The complaint here sufficiently alleges common questions of law and fact. The issue giving rise to potential class member damages is theft of their cryptocurrency by Defendants through the Cryptoherom platform and cryptoherom.com as part of a pig butchering scam where funds ended up in the referenced OKX wallets. See Appendix "A" to the Complaint.

> A class suit is maintainable where the subject of the action presents a question of common or general interest, and where all members of the class have a similar interest in obtaining the relief sought. The common or general interest must be in the object of the action, in the result sought to be accomplished in the proceedings, or in the question involved in the action. There must be a common right of recovery based on the same essential facts.

Imperial Towers Condominium, Inc. v. Brown, 338 So.2d 1081, 1084 (Fla. 4th DCA 1976) (quoting Port Royal, Inc. v. Conboy, 154 So.2d 734 (Fla. 2d DCA 1963).

The facts asserted in the complaint, which must be accepted as true for class certification purposes, Estate of Bobinger v. Deltona Corp., 563 So.2d 739, 743 (Fla. 2d DCA 1990), demonstrate that the members of the class were victims of a pig butchering scheme where their cryptocurrency was stolen by persons or entities through the Cryptoherom platform and crypotherom.com. See Appendix "A" to the Complaint. As the complaint describes, the only significant questions implicated in this litigation are (l) whether the Defendants stole the Class Members' funds through Cryptoherom platform and crypotherom.com as part of a pig

butchering scheme and (2) what are the amounts of the stolen funds. These questions are universally common to all class members, and are not dependent on individual persons. In short, they are uniformly at issue throughout the class.

Importantly, all questions of law and fact do not have to be common. Powell v. River Ranch Property Owners Ass'n, Inc., 522 So. 2d 69 (Fla. 2d DCA 1988); Broin, 641 So.2d at 890; Cox v. American Cast Iron Pipe Co., 784 F.2d at 1546-1547; Diaz v. Hillsborough County Hosp. Authority, 165 F.R.D. 689, 693 (M.D. Fla. 1996). The relevant questions of law and fact here are sufficiently similar, if not identical, and the position of the prospective class members are generally related so as to justify a unified trial to resolve the claims presented.

3. Typicality.

Typicality is linked closely with the concept of commonality. As stated in Smith v. Glen Cove Apartments Condominiums Master Association, Inc., Rule § 1.220(a)(3) requires that the class representative claims be typical of the claim of each member of the class. The Smith court indicated that the typicality requirement is met when "the representatives' claims and the class members' claims are not antagonistic in any way. The mere presence of factual differences will not defeat typicality." See Colonial Penn Ins. Co. v. Magnetic Imaging Sys., Ltd., 694 So. 2d 852, 854 (Fla. 3d DCA 1997) (absence of antagonism between class representatives and members' claims). The "key inquiry for a trial court when it determines whether a proposed class satisfies the typicality requirement is whether the class representative possesses the same legal interest and has endured the same legal injury as the class members.„ Sosa v. Safeway Premium Finance Co., 73 So. 3d 91, 115 (Fla. 2011)

In the present case, the Plaintiff alleged the theft of his cryptocurrency through the Cryptoherom platform and crypotherom.com as part of a pig butchering scheme.

The class claims are based on the same legal theories and the same facts as those involving the named Plaintiff, all of whom are similarly situated to all Class Members in that they, too, have been damaged by a pig butchering scheme involving use of the Cryptoherom platform and crypotherom.com.

Once the Class Members are determined as comprising victims of the pig butchering scheme via Cryptoherom platform and crypotherom.com, the class members and the class representatives all seek the same damages based on a simple mathematical formula that can be applied with precision based particularly on Inca's research of the movement of funds to the OKX wallets. The class members and the class representatives' claims all arise from the same criminal conduct and scheme. See Cole v. Echevarria, McCalla, Raymer, Barrett & Frappier, 965 So. 2d 1228 (Fla. 1st DCA 2007) (class certification approved for claims pursuant to Florida Consumer Collection Practices Act as to property owners who defaulted on mortgages against defendant attorneys representing mortgage holders).

4. Adequacy of Representation.

Rule § 1.220(a)(4) requires the representative parties to fairly and adequately protect class interests. Smith v. Glen Cove Apartments Condominiums Masters Association, Inc., 847 So. 2d at 1111-1112, adopted Pollinger v. City of Miami, 720 F.Supp. 955, 959 (S D. Fla. 1989), and Broin v. Phillip Morris Cos., 641 So. 2d at 892, to hold that "the adequacy of representation requirement is met if the class representative has interests in common with the proposed class members, and the representative and its qualified attorneys will properly prosecute the action."

Here, the Plaintiff easily satisfies both prongs of the "Adequacy of Representation" test. Because his interests and claims are aligned with Class Members, the Class Representatives have no conflicting interests or antagonism toward other Class Members.

The named Plaintiff will protect and advance the interest of the Class Members because, in so doing, the interests of the Class Representatives will be furthered. Plaintiff has a willingness and desire to pursue this action against the Defendants to remedy actions that have injured both the Class Representatives and the Class Members in similar ways. In fact, Plaintiff has already begun the process of tracking down and freezing the stolen assets of the Class Members through Inca's research and the injunction filed in this case.

The Plaintiff's adequacy as Class Representative is also bolstered by his choice of qualified trial counsel who exhibits the desire and the expertise to prosecute the class action vigorously. The lawyers and law firms representing the proposed Class have been and are experienced in complex litigation. The lawyers have unique and particularized knowledge of the underlying facts giving rise to the claims. The lawyers have particular knowledge of pig butchering and have worked closely with Inca and firms in other states to compile the information necessary to prosecute this claim. The participation of the legal team is especially pertinent to this Class action. The two law firms routinely litigate serious, complex, and factually intensive matters in federal and state trial and appellate courts and have significant experience in civil litigation. The undersigned has partnered with a co-counsel firm from Washington DC, Bishop Partnoy, LLC which has participated in similar cases involving pig butchering in several jurisdictions prior to the filing of this lawsuit in Florida. Although, Bishop Partnoy, LLP have not entered an appearance in this case as they are not licensed in Florida, they have assisted the undersigned with the underlying facts of this case as well as consulted on issues related to pig butchering.

c. THE CONDITIONS OF RULE **1.220(b)(3)** ARE MET.

In addition to the elements of Rule § 1.220(a), the complaint satisfies the criteria of Rule § 1.220(b)(3), requiring that the common questions of law or fact predominate

over any question of law or fact affecting the individual members of the class, and class representation is superior to other available methods for the fair and efficient adjudication of the controversy. "Florida courts have held that common questions of fact predominate when the defendant acts toward the class members in a similar or common way." Sosa v. Safeway Premium Finance Co. ,73 So. 3d 91, I 1 l (Fla. 2011). "A class representative accomplishes this if he or she, by proving his or her own individual case, necessarily proves the cases of the other class members." Id. Here, each Class Member is asserting the same claims against the Defendants. The Defendants acted in the same manner concerning each member of the class. The only individual issue relates to the computation of individual damages, but even that issue is a formulaic one not dependent on individualized circumstances. The damages computation will be a mathematical determination calculated based on Inca's research that tracks the movement of the cryptocurrency to the OKX wallets referred to in the Complaint.

The predominance analysis requires the court to focus on the liability issue in determining whether common questions predominate over individual questions. See In re Alexander Gram & co. Litigation, 110 F R.D. 528, 534 (S D. Fla. 1986). Just as with the Plaintiff's discussion of commonality and typicality, the nature of this case and the elements of the asserted claims primarily involve issues focusing on the Defendants' conduct, not the class members' acts. The complaint theft of cryptocurrency using the same scheme, platform, and wesbite arising from the same conduct by the Defendants. Each Class Member is a victim of Defendants' pig butchering scheme injured by Defendants' actions. These underlying allegations predominate over any factual issues that may differ among the class. See Fuller v. Becker & Poliakoff; P.A., 197 F.R.D. 697, 701 (M.D. Fla. 2000) (common link was similar language in letters sent to class members).

Even if the Defendants were to enter an appearance and argue that individual issues of damages exist, such a contention does not provide any basis to deny class certification. In Freedom Life Ins. Co. of America v. Wallani, 891 so. 2d 1109 (Fla. 4th DCA 2004), the Court stated:

> Any eventual monetary recovery may require some individualized inquiry into the particular claims that each class member had delayed or denied, but it is not inappropriate to certify a class under the circumstances at bar, because common issues predominate and subclasses or other innovative solutions are available to address any individualized pitfalls. Therefore, because the common issues involving the enforceability of the dispute resolution provision in compliance with statutes predominate to an extent that minimizes the risks stemming from any individualized damage inquiry required, certification under Rule 1.220(b)(3) was appropriate.

Additionally, this class action is superior to individual claims because it will avoid unnecessary and wasteful multiplication of actions, precisely the consequence the class action procedure is designed to ameliorate. Broin best articulated the test governing the superiority determination, 641 So. 2d at 891-892:

> The very purpose of a class suit is to save a multiplicity of suits, to reduce the expense of litigation, to make legal processes more effective and expeditious, and to make available a remedy that would not otherwise exist. Tenney v. City of Miami Beach, 152 Fla. 126, 1l So. 2d 188, 189 (1942). Here, as in Tenney, if we were to construe the rule to require each person to file a separate lawsuit, the result would be overwhelming and financially prohibitive. Although the Defendants would not lack the financial resources to defend each separate lawsuit, the vast majority of class members, in less advantageous financial positions, would be deprived of a remedy. We decline to promote such result.

This class action is the only feasible method for those who have been damaged to seek legal redress. This is so because many Class Members would have little individual ability and knowledge to bring this action, which is highly technical in nature. Phillips Petroleum Co. v. Shulls, 472 U.S. 797, 809 (1985). Without a class action, there would be little likelihood of any legal claims being made on behalf of the majority of the Class Members. The Class Members who are able to bring individual claims could ultimately file

numerous claims in Circuit and County Court alleging the same conduct and damages. That would create a huge burden on the Class Members and the courts. The class action device was designed to provide a procedure for vindicating just these types of claims. See Amchem Products, Inc. v. Windsor, 521 U.S 591, (1997).

While there may be the need for a claims process to determine individual damages, that process can be easily resolved by tracking the movement of funds to the OKX wallets, which is something Inca has mostly already done and us equipped to do.

D. MANAGEABILITY AS A CLASS ACTION.

Rule § 1.220(b) requires that upon determining that an action is maintainable as a class, notice be given to each member of the class who can be identified and located. Notice shall be given in the manner most practical under the circumstances. Plaintiff anticipates that notice will be accomplished without significant difficulty. A list of persons described in the class definition can be obtained by locating the owners of the wallets whose funds ended up in the OKX wallets referenced in the Complaint. The management of this action is not especially difficult.

CONCLUSION

The Court should liberally interpret the rules governing class actions to encourage class action litigation when factual circumstances warrant. The interests of justice require that even in a doubtful case, any error, if there is to be one, should be committed in favor of allowing a class action. Esplin v. Hirschi, 402 F.2d 94, 101, (10th Cir. 1968). This case is not, however, a speculative or doubtful one. The conduct of Defendants is widespread, egregious, and targeted at victims who have now had their life savings stolen, and may not have the technical expertise nor funds to pursue an action individually.

For all these reasons that are consistent with Rule § 1.220, Plaintiff asks that this Court certify the class identified in this submission: **All persons whose property was converted by Defendants using the CryptoHerom platform and cryptoherom.com and ended up in the OKX wallets referenced in the Complaint.**

This class is identifiable based on Inca's research on behalf of Plaintiff and this class consists of members who have been damaged.

CERTIFICATE OF CONFERRAL

Undersigned notes that no opposing party has entered an appearance and therefore there is no party to confer with.

Under penalties of perjury, I declare that I have read the foregoing Ex parte Motion for Class Certification and Memorandum of Law and that the facts stated in it are true and correct[2]

DocuSigned by:
9E199D4AAC6943C...
Klodjan Dollma
Plaintiff/Movant

Respectfully submitted and filed on September 5, 2024

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[2] This oath without notary is proper under Fla. Stat. 92.525(1)(C) and (2)

By: */s/ Jose Teurbe-Tolon*
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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, 2024, the foregoing Exparte Verified Motion to Certify Class has been served on the Defendants who have not yet entered an appearance on this case, by placing the foregoing and all attachments in the service website which was authorized by the Court in its Order of May 16, 2024.

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IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER, COUNTY, FLORIDA

KLODJAN DOLLMA, on behalf of himself and all others similarly situated, Plaintiff, v. LENA WALTER, CRYPTOHEROM, and JOHN DOE NOS. 1-25 Defendants.	Case No. 11-2024-CA-000641-0001-XX **CLASS REPRESENTATION**

AFFIDAVIT IN SUPPORT OF CLASS CERTIFICATION

JOSE TEURBE-TOLON, an attorney admitted in the State of Florida, affirms the following under penalty of perjury:

1. I am a partner at Xander Law Group, P.A., attorneys for Plaintiff Klodjan Dollma. I submit this Affirmation in support of Plaintiff's Motion for Class Certification.

2. Mr. Dollma is represented in this action by my firm Xander Law Group, P.A. and Bishop Partnoy LLP pursuant to an engagement letter in which he is represented on a contingency fee basis, with costs and expenses advanced on his behalf.

3. Mr. Dollma has actively monitored this case through discussions with his counsel and by reviewing filings and relevant documents and is prepared to fulfill any discovery obligations. He should be appointed to serve as Class Representative here.

4. Mr. Dollma's counsel has relevant experience in Florida state litigation, federal litigation, class action cases, and cryptocurrency, and are qualified to represent Mr. Dollma and the Class Members as Class Counsel.

5. Bishop Partnoy LLP has two main areas of practice, fiduciary duty litigation and securities class actions, where its recent experience includes Grabski v. Andreessen, et al., C.A. No. 2023-0464-KSJM (Del. Ch.), a securities class action involving the cryptocurrency platform Coinbase Global, Inc.

6. Bishop Partnoy's partners on this matter include Robert E. Bishop, who is an Associate Professor at Duke Law School. Bishop was the senior advisor on financial markets at the U.S. Department of the Treasury during the COVID-19 pandemic, where he played an integral role on economic relief efforts. Before his doctoral studies, he advised a Commissioner at the U.S. Securities and Exchange Commission, and before graduate school, he served in the Middle East and East Africa with the U.S. Department of Defense. He clerked on the Delaware Court of Chancery. The firm's partners on this matter also include Frank Partnoy, the Adrian A. Kragen Chair in Law at UC Berkeley. Partnoy has represented individual and institutional investors in a wide range of business and securities disputes since the 1990s. He was a litigator at Covington & Burling LLP and has been a consulting lawyer and expert in dozens of complex cases for more than two decades. He has published dozens of widely-cited academic articles and several books.

7. Adam Zarazinski is a graduate of the University of Michigan Law School and a former U.S. Air Force Judge Advocate, where he served as a prosecutor at Joint Base Andrews and operations law attorney in Afghanistan. He managed and developed projects on new technology for international organizations like INTERPOL and the World Health Organization. Zarazinski is the CEO of Inca Digital, an open-source intelligence company that builds data analytics tools for cryptocurrency. Inca has worked with financial institutions and regulatory and law enforcement agencies, including the Commodity Futures Trading Commission, Ontario

Securities Commission, and state attorneys general. Among other things, Inca Digital has partnered with Defense Advanced Research Projects Agency (DARPA), an agency of the U.S. Department of Defense responsible for developing emerging technologies, to develop a crypto ecosystem mapping tool to analyze crypto financial data and risk.

8. My firm Xander Law Group, P.A. is a trial-focused litigation firm based in Miami, Florida, with a broad practice that includes business disputes in Florida State and federal courts. Since it was founded in 2011, the firm has been lead counsel in multiple trials and arbitrations.

Under penalties of perjury, I declare that I have read the foregoing Affidavit in Support of Class Certification and that the facts stated in it are true and correct[1]

Jose Teurbe-Tolon
Counsel for Plaintiffs

[1] This oath without notary is proper under Fla. Stat. 92.525(1)(C) and (2)