

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION

SHAWUTI MAIMAITIYUMAIER, an
individual, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

JANE DOE a/k/a “Carrie” and JOHN
DOES 1-25,

Defendants.

No. 2025 CH 05863
Calendar 15

Hon. William B. Sullivan
Judge Presiding

ORDER

This matter coming to be heard on Plaintiff’s Ex Parte Motion for Temporary Restraining Order, with the Court being fully advised in the premises, IT IS HEREBY ORDERED:

1. Plaintiff Shawuti Maimaitiyumaier (“Plaintiff”) filed this action alleging that he and others similarly situated (“Class”) were the victims of a so-called “pig butchering” scheme. Comp., ¶ 1.
2. Plaintiff’s allegations align with the modus operandi for pig butchering scams. See id. at ¶ 29-31. He asserts that one of the Defendants,¹ going by the name “Carrie,” contacted him on WhatsApp and offered him a part-time job in or around November 2024. Id. at ¶ 42. The job Carrie offered was simple—Plaintiff would earn commissions by creating an account on a Digital Leader Platform (“Digital Leader”) and completing tasks and missions, mostly writing product reviews on that website. Id. at ¶¶ 42-45. Defendants allegedly told him that he would have to deposit Bitcoin (“BTC”) into his account in order to unlock batches of products to review and access his commissions. Id. at ¶ 46.
3. Plaintiff alleges he was initially able to complete tasks and access his commissions. Id. at ¶ 47. He further alleges that Defendants encouraged him to

¹ Plaintiff asserts he is unable to give a real name for any of the Defendants. Comp. at ¶ 15. He is also unable to state what countries they are citizens of. Id. At this time, the Court is satisfied that it has personal jurisdiction over the Defendants because either (1) they are located in Illinois, (2) their Digital Leader Platform was sufficiently commercial and interactive to satisfy the Zippo test, or (3) they satisfied the Calder effects test by intentionally directing their activities at Illinois while aware that such activities’ effects would be felt in the forum. See generally Innovative Garage Door Co. v. High Ranking Domains, LLC, 2012 IL App (2d) 120117 (discussing the different standards for determining personal jurisdiction in the internet context).

make larger and larger deposits, depositing a total of \$19,018.05 BTC into his account. Id. at ¶¶ 48-49.

4. However, when he tried to make a substantial withdrawal of his commissions, Plaintiff alleges that Defendants informed him that his account had been frozen. Id. at ¶ 50. They stated he would have to deposit additional BTC to unfreeze his account. Id.
5. Plaintiff additionally alleges that Defendants have victimized the Class in a systemic, large-scale scheme. Id. at ¶ 68. He contends that forensic blockchain analysis shows Defendants gained cryptocurrency in similar ways from other sources, evincing forty-four more victims and members of the Class. Id. at ¶ 69-72.
6. Plaintiff filed this class action lawsuit, bringing claims for Conversion, Unjust Enrichment, Replevin, and Declaratory Relief. Id. at 21-25. Now, he has moved for an ex parte Temporary Restraining Order (“TRO”). Mot.
7. A temporary restraining order is a drastic, emergency remedy which may issue only in exceptional circumstances and for a brief duration. Abdulhafedh v. Secretary of State, 161 Ill. App. 3d 413, 416 (2d Dist. 1987). The purpose of a temporary restraining order is to allow the circuit court to preserve the *status quo*—to prevent a threatened wrong or a continuing injury—pending a hearing to determine whether it should grant a preliminary injunction. Id. “The status quo to be preserved is the last actual, peaceable, uncontested status which preceded the pending controversy.” Martin v. Eggert, 174 Ill. App. 3d 71, 77 (2d Dist. 1988). While the term status quo has been the subject of often inconsistent interpretations, “[preliminary injunctive relief] is designed to prevent a threatened wrong or the further perpetration of an injurious act.” Kalbfleisch v. Columbia Cmty. Unit Sch. Dist. Unit No. 4, 396 Ill. App. 3d 1105, 1118 (5th Dist. 2009). Sometimes the status quo is “not a condition of rest but, rather, . . . a condition of action that [is] necessary to prevent irreparable harm.” Id. at 1117.
8. To obtain a temporary restraining order, a plaintiff must typically establish: (1) a clearly protected right; (2) irreparable harm by the defendant’s conduct if an injunction does not issue; (3) there is no adequate remedy at law; and (4) likelihood of success on the merits. Chi. Sch. Reform Bd. of Trs. v. Martin, 309 Ill. App. 3d 924, 939 (1st Dist. 1999). Additionally, courts often balance the equities or the relative hardships. Scheffel & Co. v. Fessler, 356 Ill. App. 3d 308, 313 (5th Dist. 2005).
9. A court may not enter an ex parte TRO “unless it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before notice can be served and a hearing had thereon.” 735 ILCS 5/11-101.

10. To establish a clearly ascertainable right in need of protection, a plaintiff must raise a fair question that it has a substantive interest recognized by statute or common law. Delta Med. Sys. v. Mid-America Med. Sys., Inc., 331 Ill. App. 3d 777, 789-90 (1st Dist. 2002). A well-pled complaint for injunctive relief must contain on its face a clear right to relief and allege facts which establish the right to such relief in a positive, certain and precise manner. Nameoki Tp. v. Cruse, 155 Ill. App. 3d 889, 898 (5th Dist. 1987).
11. Plaintiff has raised a fair question that he has a clearly ascertainable right in commissions he earned and in the funds he deposited in his Digital Leader account.
12. The elements of irreparable injury and inadequate remedy at law required for a temporary restraining order are closely related. Happy R. Sec., LLC v. Agri-Sources, LLC, 2013 IL App (3d) 120509, ¶ 36. An irreparable injury is one which cannot be adequately compensated in damages or be measured by any certain pecuniary standard. Diamond Sav. & Loan Co. v. Royal Glen Condo. Ass'n, 173 Ill. App. 3d 431, 435 (2d Dist. 1988). However, irreparable injury does not necessarily mean injury that is great or beyond the possibility of repair or compensation in damages, but is the type of harm of such constant or frequent recurrence that no fair or reasonable redress can be had in a court of law. Bally Mfg. Corp. v. JS&A Group, Inc., 88 Ill. App. 3d 87, 94 (1st Dist. 1980).
13. With respect to the element of an inadequate remedy at law, it is widely held that money damages constitute adequate compensation absent a showing that it would be impossible, rather than merely complicated, to ascertain the amount of damages. Wilson v. Wilson, 217 Ill. App. 3d 844, 856-59 (1st Dist. 1991). However, "the fact that plaintiffs' ultimate relief may be a money judgment does not deprive a court of equity the power to grant a preliminary injunction." All Seasons Excavating Co. v. Bluthardt, 229 Ill. App. 3d 22, 28 (1st Dist. 1992) (citing K.F.K. Corp. v. Am. Cont'l Homes, Inc., 31 Ill. App. 3d 1017, 1021 (2d Dist. 1975)). Instead, "for a legal remedy to preclude injunctive relief, the remedy must be 'clear, complete, and as practical and efficient to the ends of justice and its prompt administration as the equitable remedy.'" In re Marriage of Hartney, 355 Ill. App. 3d 1088, 1090 (2d Dist. 2005).
14. Plaintiff has adequately pled irreparable harm and inadequate remedy at law in that he has alleged that, without a TRO, Defendants will "off ramp" his assets. Mot. at 9-10. Other courts have recognized this unique harm posed by the anonymized and decentralized nature of cryptocurrency. See Mot., Exs. C-F, J. Similarly, Illinois courts have previously granted temporary injunctive relief freezing funds in order to preserve the status quo. Comp. All Seasons Excavating Co. v. Bluthardt, 216 Ill. App. 3d 504, 512-14 (2d Dist. 1991); Carriage Way Apts. v. Pojman, 172 Ill. App. 3d 827, 838 (2d Dist. 1988).

15. To show a likelihood of success on the merits, a party must: (1) raise a fair question as to the existence of the right claimed, (2) lead the court to believe that she will probably be entitled to the relief prayed for if the proof sustains her allegations, and (3) make it appear advisable that the positions of the parties stay as they are until the court has an opportunity to consider the merits of the case. Abdulhafedh, 161 Ill. App. 3d at 417. An element of the likelihood of success on the merits is whether the complaint states a cause of action sufficient to withstand a 2-615 motion to strike. See Strata Marketing, Inc. v. Murphy, 317 Ill. App. 3d 1054 (1st Dist. 2000). A movant need not make out a case that would entitle her to judgment at trial. Stocker Hinge Mfg. Co. v. Darnel Indus., Inc., 94 Ill. 2d 535, 542 (1983).
16. Plaintiff has raised a fair question as to his likelihood of success on the merits as to his conversion and unjust enrichment claims.
17. To satisfy the elements for conversion, a plaintiff must allege (1) the defendants unauthorized and wrongful assumption of control, dominion, or ownership over the plaintiff's personal property, (2) the plaintiff's right in the property, (3) that the plaintiff has an absolute and unconditional right to immediate possession of the property, and (4) the plaintiff's demand for possession of the property. Wei Quan v. Arcotech Uniexpat, Inc., 2018 IL App (1st) 180227, ¶ 17. Plaintiff here has alleged that Defendants have wrongfully taken funds from his Digital Leader account and, despite his requests, would not permit him to access those funds unless he deposited more BTC. He has made similar allegations for the Class. Plaintiff has stated a claim for conversion.
18. To satisfy the elements for unjust enrichment, a plaintiff must allege a "defendant has unjustly retained a benefit to the plaintiff's detriment, and that the defendant's retention of the benefit violates the fundamental principles of justice, equity, and good conscience." HPI Health Care Servs., Inc. v. Mt. Vernon Hosp., Inc., 131 Ill. 2d 145, 160. Plaintiff alleges that Defendants obtained his funds through deception, misrepresentation, and that Defendants have retained those funds to their benefit and to his detriment. Comp. at ¶¶ 79-82. Plaintiff makes similar allegations on behalf of the Class. He has stated a claim for unjust enrichment.
19. Because Plaintiff has shown a likelihood of success on the merits as to Counts I and II, it is unnecessary for the Court to consider whether he has shown a likelihood of success as to Counts III and IV.
20. A court need only balance the hardships and consider the public interests if all of the TRO elements are met. Rodrigue Ceda Makindu v. Ill. High Sch. Ass'n, 2015 IL App (2d) 141201, ¶ 31. Since Plaintiff has satisfied all the prerequisites, the Court must consider the hardships and interests of the parties.

21. Nothing indicates that freezing the funds for ten days would impose a great hardship on Defendants. A TRO would prevent the possibility of Plaintiff's and the Class' funds virtually disappearing into thin air—which is an inherent hazard with cryptocurrency—and preserve the status quo until the Court reaches the merits. The balance of the hardships and equities favors Plaintiff and the Class.
22. Granting injunctive relief without notice “is an extraordinary remedy and is appropriate only under the most extreme and urgent circumstances. Bd. of Educ. v. Parlor, 81 Ill. App. 3d 667, 669 (5th Dist. 1980). “The critical inquiry in all cases of this nature is whether, during the period it takes to give notice, the opponent will take such measures as to destroy the substance of the litigation or otherwise obstruct the court from dealing effectively with the issues.” Quigg v. Saleem, 2022 IL App (4th) 22070, ¶ 18.
23. The Court finds persuasive the logic of other courts who have entered ex parte TRO's in cases involving alleged pig butchering. Mot., Exs. C, F, G. Here, Plaintiff has alleged specific facts that he will suffer immediate, irreparable harm—the “off-ramping” of his assets—should Defendants receive notice.
24. For the foregoing reasons, Plaintiff's motion is granted:
 - a. Defendants are temporarily restrained from withdrawing, transferring, or encumbering any assets currently held in the following Wallet Addresses:
 - i. 1GoKwxgMgK7oWKyaWsiwh9Yj5zS9WgbmDy (held at Binance);
 - ii. bc1qpaxma6vz4yexujhh7vgaxl0np69r2rpnyjftdz77u80nl0g8vspqesmq (held at OKX);
 - iii. bc1q3cmxrnu9a4xcm4asjpqh6ry43k65ua8r2szrdk23ewf7stheuyxqclrzps (held at OKX);
 - b. The Court will permit service of this Order by the method known as “Ordinal Inscription Process,” which is described in Plaintiff's Motion and was discussed during the hearing.
 - c. Plaintiff shall serve this order personally on Binance and OKX.
 - d. This TRO shall expire in ten (10) days from its entry.
25. Defendants are permitted to file a Response to Plaintiff's Motion on or before July 14, 2025. Plaintiffs are permitted to file a Reply on or before July 17, 2025. Courtesy copies shall be provided to the Court via email (calendar15.chancery@cookcountyl.gov) on or before July 17, 2025.

26. This matter is continued for hearing on preliminary injunction to July 21, 2025 at 1:30 p.m. The hearing will occur in a hybrid format. Plaintiff is to appear in person in Courtroom 2410. Defendants will be permitted to attend via Zoom (955 3557 3920) if they cannot attend in person. Should any Defendants plan to appear via Zoom, they must alert the Court by 3:00 p.m. CT on July 18, 2025 via email (calendar15.chancery@cookcountyil.gov).

SO ORDERED.

ENTERED:

/s/ William B. Sullivan

Judge William B. Sullivan, No. 2142.

Signed July 11, 2025 at 3:00 p.m. CT

ORDER OF THE COURT

Judge William B. Sullivan

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Circuit Court - 2142