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Superior Court of California,  
County of Los Angeles  
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David W. Slayton,  
Executive Officer/Clerk of Court,  
By M. Aguirre, Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES**

11 HOWARD MANN, on behalf of himself and  
12 all others similarly situated,

13 Plaintiff,

14 v.

15 SEAN MOORE, MIRANDA GOMEZ, and  
DOES 1 through 200, inclusive,

16 Defendants.

Case No. **24STCV17012**

**VERIFIED COMPLAINT FOR:**

**(1) CONVERSION**  
**(2) MONEY HAD AND RECEIVED**

**CLASS ACTION**

1 Plaintiff Howard Mann ("Mr. Mann" or "Plaintiff"), on behalf of himself and all others  
2 similarly situated alleges as follows:

3 1. Sean Moore ("Moore"), Miranda Gomez ("Gomez"), and Does 1-200 (collectively,  
4 "Defendants") are scam artists executing an online theft scheme known as "pig butchering," where  
5 they use deceptive representations to lure unsuspecting victims into buying cryptocurrency and  
6 transferring it to accounts (also known as "wallets") that Defendants control. Once transferred,  
7 Defendants steal these funds.

8 2. Plaintiff Howard Mann was one of the many innocent victims of this scam. An  
9 individual claiming to be from the Department of Water and Power contacted Mr. Mann, falsely  
10 stating that he had overdue payments, and that his water and power would be shut off unless he made  
11 an immediate payment. The scammer convinced Mr. Mann that paying with cryptocurrency would  
12 be the fastest way to settle his supposedly outstanding utility bill. Following Defendants' instructions,  
13 Mr. Mann deposited cash at a Bitcoin ATM to purchase Bitcoin. Subsequently, the Bitcoin acquired  
14 by Mr. Mann, along with the assets of approximately one hundred other victims of the same scam,  
15 was transferred to one or more cryptocurrency accounts/wallets controlled by Defendants, who  
16 misappropriated these funds, effectively stealing them.

17 3. Plaintiff brings this action on behalf of himself, and all others similarly situated to  
18 recover these stolen funds.

19 **PARTIES**

20 4. Plaintiff Howard Mann is an individual who currently and at all relevant times herein  
21 resides in the city of Encino, California.

22 5. Defendant Sean Moore is an individual of unknown residence who, alongside the other  
23 defendants, solicited and persuaded Mr. Mann to deposit funds into cryptocurrency wallets controlled  
24 by Defendants and then stole those funds.

25 6. Defendant Miranda Gomez is an individual of unknown residence who, alongside the  
26 other defendants, solicited and persuaded Mr. Mann to deposit funds into cryptocurrency wallets  
27 controlled by Defendants and then stole those funds.

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7. Defendants, Does 1 through 200, inclusive, are the individuals and/or entities who orchestrated and perpetrated the activities complained of herein. The true names and capacities of Defendants Does 1 through 200, inclusive, are unknown to Plaintiff at this time, and are therefore sued under such fictitious names pursuant to California Code of Civil Procedure § 474.

## JURISDICTION AND VENUE

8. Jurisdiction is proper under section 410.10 of the California Code of Civil Procedure and Article 4 of the California Constitution.

9. Venue is proper under section 395 of the California Code of Civil Procedure because the obligations referred to herein were incurred in the County of Los Angeles, and the injuries arose in the County of Los Angeles. On information and belief, each of Does 1 through 200, inclusive, are non-residents of California, although their true identities and locations are presently unknown.

## FACTUAL ALLEGATIONS

10. On or about March 17, 2023, an individual using the phone number (909) 222-6457 contacted Mr. Mann, claiming to represent the Department of Water and Power. The caller alleged that Mr. Mann had failed to pay his bill on time and insisted that immediate payment was necessary to prevent the shutdown of water and power services at his residence. The caller had detailed information about Mr. Mann, including his account number, address, name, and a plausible amount due that was consistent with previous bills. Although Mr. Mann believed he was current on his payments, the threat of having his water and power shut off, combined with the caller's specific knowledge about his account, persuaded him of the caller's legitimacy.

11. The individual on the phone persuaded Mr. Mann that paying in cryptocurrency was the best and fastest way to resolve the issue. Mr. Mann was directed to a Bitcoin ATM to deposit cash, purchase Bitcoin, and transfer it as the required payment.

12. Mr. Mann used a “Coinhub” Bitcoin ATM located at 19558 Ventura Boulevard, Tarzana, California 91356. After depositing cash to obtain Bitcoin, he used the ATM machine to scan a QR code that Defendants had given him. This QR code provided the machine with the address of a wallet controlled by the Defendants, causing the ATM to send Mr. Mann's Bitcoin directly to them.

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1           13.     After making the initial cash deposit and following the aforementioned steps, Mr.  
2 Mann was falsely told that payment was not received and instructed to make additional deposits. This  
3 led him to repeatedly deposit cash at the ATM machine, based on Defendants' misleading claims,  
4 including purported issues with payment receipt. Ultimately, Mr. Mann made several transfers,  
5 totaling \$10,070, based on the Defendants' false representations and scare tactics.

6           14.     The sequence of events described above was part of a scam orchestrated by  
7 Defendants to con victims into depositing money into cryptocurrency accounts/wallets which they  
8 controlled. These funds were then stolen by the Defendants, affecting numerous victims, including  
9 Mr. Mann.

10          15.     After realizing that he had been scammed, Mr. Mann contacted Inca Digital (“Inca”),  
11 a cryptocurrency investigation firm, which traced his transactions. Inca confirmed that Defendants  
12 orchestrated a common scheme to steal money from Mr. Mann and similarly situated class members  
13 through the aforementioned false representations. On information and belief, and based upon the  
14 investigation by Inca, approximately one hundred class members have been deprived of their funds  
15 through this cryptocurrency scam. These stolen funds were illicitly transferred to cryptocurrency  
16 wallets controlled by Defendants and described herein in Paragraph 25.

17          16.     Defendants' utility bill scam is a variation of the "pig butchering" cryptocurrency theft  
18 scheme. Victims of pig butchering in the United States have collectively lost billions of dollars,  
19 prompting numerous investigations and prosecutions by state and federal authorities.

20          17.     In a typical “pig butchering” scheme, scammers promise victims returns and then  
21 fabricate evidence of positive performance and accounts on fake websites designed to look like  
22 functioning cryptocurrency trading venues or investment companies designed to entice victims to  
23 deposit or “invest” more money. When the victims have been sufficiently “fattened” with false profits  
24 or account statement, the scammers then steal the victims’ funds and attempt to cover their tracks by  
25 routing the stolen assets through a complex series of subsequent transactions.

26          18.     In this case, Defendants' scheme utilized scare tactics instead of promised returns.  
27 They systematically posed as utility company representatives, falsely claiming that services would  
28 be cut off to coerce Mr. Mann and other class members into transferring funds to cryptocurrency

wallets under their control. This deceptive method allowed Defendants to illegally convert the victims' assets.

19. The standardized scheme perpetrated by Defendants involved facts common to the members of the class, including but not limited to the following: (i) analogous communications to persuade class members to deposit funds, involving fake identities and fabricated claims about urgent water and power bill payments to avoid utility shutoffs; (ii) the common use of cryptocurrency ATM machines by class members to transfer funds to wallets controlled by Defendants; (iii) the intentional unlawful conversion of cryptocurrency owned by class members for Defendants' own use; (iv) consistent use of Defendants' specific cryptocurrency wallets with "Deposit Addresses" detailed in Paragraph 25, and (v) significant financial harm to class members due to the conversion of their assets.

20. The communications to Mr. Mann and similarly-situated class members did not constitute genuine alerts about overdue utility bills. Instead, these were false claims made by Defendants to coerce class members into transferring funds to Defendants' cryptocurrency wallets, thereby facilitating the unlawful conversion of those funds.

21. Defendants attempted to conceal their theft of class members' cryptocurrency through a series of online transactions intended to mask their activities. However, an investigation conducted by Inca has successfully traced and connected Defendants' transactions, revealing the trail and identifying several cryptocurrency wallets that have held, or currently hold, the funds belonging to Mr. Mann and other class members.

22. Inca's investigation involved two phases, each of which is precise, reliable and replicable, as set forth below. First, in phase one, Inca "forward traced" the flow of funds from Mr. Mann's cryptocurrency deposits to Defendants. After being routed through various wallets controlled by Defendants, these funds, along with those of many other victims, were ultimately transferred to wallets at the cryptocurrency exchanges, Binance and KuCoin. The Deposit Addresses for these wallets are detailed in Paragraph 25.

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23. In phase two, Inca “reverse traced” the flow of funds into the aforementioned addresses, revealing that additional addresses and transfers matched the flow of Plaintiff’s funds. This indicated that other class members were victimized by the same common scheme.

24. Inca discovered that, after victims made initial deposits using Bitcoin ATMs and centralized cryptocurrency exchanges, the funds passed through two or three different wallet addresses. These included addresses known as “fraud shop” addresses, which Inca and others have previously identified as being associated with fraudulent schemes.

25. Inca’s “forward tracing” process consisted of a three-step analysis: (1) identifying the addresses that initially received Plaintiff’s cryptocurrency; (2) tracking the transfer of funds from those addresses to two “swap router and bridge” addresses and then through a series of transactions on the TRON blockchain; and (3) following those funds through a sequence of wallet addresses to the “Deposit Addresses,” which are at cryptocurrency exchanges (Binance and KuCoin) as set forth below.

Binance

15PGbkbXoVSQXWTHXwrcJPevq8NV5Ffdho

1A2PWvYo8EmysLFbYL99gGHK3haqRo9fiN

13GJh5kyqfgtsb5GP6VqH2fvAEQLPzPp5X

1LF7Vo9qsx1KLvUnRJc3yqhXYkzCjic1zw

14rTVLjXHasdcqRH2p24kFVnkcWSvahCzU

166r3x91TfWh8D27Ej2QkcUT3qTyHPLJmZ

1MoYksuZoQwpvrGUAkXYtrwrrPK9ByG4Tj

1CGbRD4qfFjkQpNggKF3EJzj9wJhSatWt2

1LZQbKLcHzMeHPEq52hLrjEnoSJz39ahsq

1FQqrmfVoVQuUQEMAzsXkHeT4nkYja4gm

1Ntq5herKqrKa3iGUA9rQvcVwB3VAEKCNI

12QAqsBQUQXwniXA21gRrASbpokjdvhz15

19vLaAuy16Cbh7zfxaHoBvG4Nof3QwbtoR

1KBVi3EdFfDsXJvd6Xuyeum8oKugnaCffP

1J9hSv4yBgZ2xWUbfhZMQHSw8yFAqFw7m

1PCJbKmF1aZSeeodMQNbS6dKe6FDv4JqFF

1HS7voGRhq73mg4dmoy4jt8We8Zthnqd6p

1CGbRD4qfFjkQpNggKF3EJzj9wJhSatWt2

1DF2tninBnokz9L4Tb61U8Pv8zc3Rggg8P

1EyKJN6JT xvQergHhcJUWyYzgcdhZ1Lqeo

KuCoin

3L5HM9PvUqu9YwKgNLVyLggCZ84sCp8KWZ

26. Based on its analysis, Inca concluded that the Class Members include approximately 100 victims, who lost approximately \$850,000 combined.

#### **CLASS ALLEGATIONS**

27. This action may be properly maintained as a class action under California Code of Civil Procedure § 382.

28. The proposed Class is defined as follows: All persons whose property was converted by Defendants using a deceptive scheme which were then routed and deposited at the account/wallet addresses set forth in Paragraph 25.

29. Excluded from the Class are individual Defendants and their families; corporate Defendants and their officers, directors and affiliates, if any, at all relevant times; Defendants' legal representatives, heirs, successors or assigns; and any entity in which Defendants have or had a controlling interest.

30. Plaintiff reserves the right to amend or modify the Class in connection with a motion for class certification or as the result of discovery.

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1           31. Plaintiff does not currently know the precise size of the proposed Class, but Plaintiff  
2 is aware that the Class is so numerous that joinder of all members is impracticable, if not impossible,  
3 because of the number of Class Members and the fact that Class Members are potentially in  
4 geographically disparate locations. Upon information and belief, the Class includes approximately  
5 one hundred members.

6           32. Although the number and identities of Class Members are currently unknown to  
7 Plaintiff, it is possible to attempt to ascertain Class Member identities through notice to the original  
8 owners of assets contained in the accounts listed in Paragraph 25 of this Complaint, as well as through  
9 discovery, including into account records at relevant institutions.

10          33. Nearly all factual and legal issues raised in this Complaint are common to each of the  
11 members of the Class and will apply uniformly to every member of the Class.

12          34. The claims of the representative Plaintiff are typical of the claims of each member of  
13 the Class, and by pursuing his own interests Plaintiff will advance the interest of the absent class  
14 members.

15          35. Plaintiff, like all other members of the Class, sustained damages arising from  
16 Defendants' scheme and subsequent transactions to convert stolen property and hide the locations of  
17 victims' cryptocurrency assets. The representative Plaintiff and the members of the Class were, and  
18 are, similarly or identically harmed by the same unlawful, deceptive, unfair, systematic, and pervasive  
19 pattern of misconduct.

20          36. Plaintiff, like all other members of the Class, is entitled to the same declaratory,  
21 injunctive and other relief as the members of the Class.

22          37. Plaintiff will fairly and adequately represent and protect the interests of the Class.  
23 There are no material conflicts between the claims of the representative Plaintiff and the other  
24 members of the Class, including absent members of the Class, that would make class certification  
25 inappropriate.

26          38. Counsel selected to represent the Class will fairly and adequately protect the interest  
27 of the Class and have experience in complex and class litigation and are competent counsel for class  
28 action litigation. Counsel for the Class will vigorously assert the claims of all members of the Class.



39. This action is properly maintained as a class action in that common questions of law and fact exist as to the members of the Class and predominate over any questions affecting only individual members, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy, including consideration of: the interests of the members of the Class in individually controlling the prosecution or defense of separate actions and/or proceedings; the impracticability or inefficiency of prosecuting or defending separate actions and/or proceedings; the extent and nature of any litigation concerning the controversy already commenced by members of the Class; the desirability or undesirability of concentrating the litigation of the claims in the particular forum; and the difficulties likely to be encountered in the management of a class action.

40. Among the numerous questions of law and fact common to the Class are: whether Defendants have acted or refused to act on grounds generally applicable to the Plaintiff and the Class; whether Defendants have a pattern, practice and scheme of “pig butchering” and subsequent digital transactions to convert stolen property and hide the locations of victims’ cryptocurrency assets; to what extent Plaintiff and members of the Class are entitled to damages; and to what extent Plaintiff and members of the Class are entitled to declaratory and injunctive relief.

41. Defendants have consistently acted and refused to act in ways generally applicable to the Class. Thus, final declaratory and injunctive relief with respect to the entire Class is appropriate.

42. Plaintiff and the members of the Class have suffered or are at imminent, severe, and unacceptably high risk of suffering irreparable harm because of Defendants' ability to move funds at any time, without notice. If Defendants withdraw funds, Plaintiff and the members of the Class will not be able to recover their funds and would lose their property forever.

### FIRST CAUSE OF ACTION

**(For Conversion)**

43. Plaintiff re-alleges each paragraph of this Complaint as if fully set forth herein.

44. Plaintiff and the other members of the class transferred assets owned by them to Defendants.

45. Defendants wrongfully withheld and converted to themselves the assets and property of Plaintiff and the other members of the class in a manner inconsistent with their property rights in those assets.

46. As a result of the foregoing, Plaintiff and the other members of the class have been deprived of the use of the above assets and damaged in an amount to be established at trial.

47. The above-described conduct of Defendants was made with oppression, fraud, and malice, and with actual and constructive knowledge that the assets were wrongfully converted by Defendants for their own personal use and without the knowledge of or approval by Plaintiff or the other members of the class.

48. Plaintiff, on behalf of himself and all others similarly situated, accordingly requests imposition of compensatory damages, in addition to exemplary and punitive damages, against Defendants, as well as appropriate equitable relief, including but not limited to entry of a preliminary and permanent injunction that seizes and returns to Plaintiff and the other members of the class the cryptocurrency assets contained in the cryptocurrency wallets listed in Paragraph 25.

## SECOND CAUSE OF ACTION

**(For Money Had and Received)**

49. Plaintiff re-alleges each paragraph of this Complaint as if fully set forth herein.

50. As described more fully above, Defendants received from Plaintiff and the similarly situated members of the class money and property intended to be used for the exclusive benefit of Plaintiff and the class.

51. Defendants did not, in fact, use the money and property received from Plaintiff and the members of the class for their benefit, but instead used that money for themselves.

52. As a result of the foregoing, Plaintiff and the members of the class have been damaged in an amount to be established at trial, and request compensatory damages of this amount in addition to appropriate equitable relief, including but not limited to entry of a preliminary and permanent injunction that seizes and returns to plaintiff and the class the cryptocurrency assets contained in the cryptocurrency wallets listed in Paragraph 25 herein.

1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff prays for an award against Defendants as follows:

- 3 1. For compensatory damages in excess of \$1 million, in an amount to be proved at trial
- 4 2. Punitive damages of \$5 million due to Defendants' wrongful conversion;
- 5 3. For attorney's fees and costs of suit;
- 6 4. Pre- and post-judgment interest; and
- 7 5. For such other and further relief as this Court deems just and proper.
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10 Dated: July 9, 2024

11 *Shaun P. Martin*

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1 **DEMAND FOR JURY TRIAL**

2 Plaintiff demands a jury trial for all claims so triable.

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5 Dated: July 9, 2024

6  
7 *Shaun P. Martin*

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I am the plaintiff in this action and have read the foregoing Verified Complaint, know the contents thereof, and certify that the same is true to the best of my knowledge, except as to those matters therein stated on information and belief, and as to those matters, believe them to be true.

Executed on July 8, 2024, at Los Angeles, California.

*Howard Mann*  
Howard Mann