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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 K. Valenzuela, 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

**SUPPLEMENTAL DECLARATION OF
CHARLES ZACH IN SUPPORT OF
PLAINTIFF'S EX PARTE APPLICATION
FOR TEMPORARY RESTRAINING ORDER
AND OSC RE: PRELIMINARY
INJUNCTION**

Assigned for All Purposes to:
Judge: William F. Highberger
Date: July 17, 2024
Time: 9:30 a.m.
Place: 312 N. Spring Street
Los Angeles, CA 90012, Dept. 10

1 I, Charles Zach, declare under penalty of perjury as follows:

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3 1. My name is Charles Zach. I am an employee at Inca Digital, a company that
4 investigates cryptocurrency schemes, including “pig butchering.” As part of my employment at Inca
5 Digital, I have investigated matters related to the complaint by Howard Mann (“Plaintiff”) in the
6 above-captioned action. I am over 18 years of age, of sound mind, and am competent to make this
7 Declaration. The evidence set forth in the foregoing Supplemental Declaration is based upon my
8 personal knowledge unless expressly stated otherwise, and if called and sworn as a witness, I could
9 and would testify to each of the facts set forth herein.

10 2. In my original declaration in this matter, I stated that based upon the investigation
11 conducted by me and Inca Digital, I believed – and continue to believe -- that Defendants’ conversion
12 scheme involved approximately 100 class member victims, who lost approximately \$850,000
13 combined. Those figures were reached through the two-step process described in my original
14 declaration. The number of class member victims was estimated by the number of wallets discovered
15 through the reverse tracing process I described, including the number of those wallets originating
16 through Bitcoin ATMs, which are a classic means through which victims are deceptively persuaded
17 to deposit cryptocurrency with the Defendants. Similarly, the figure for combined losses can be
18 estimated through the size of the transactions going into and out of the identified wallets, since the
19 size of the transactions is available, through investigation, on the public blockchain.

20 3. My original declaration identified various wallets containing funds stolen from Mr.
21 Mann and other victim class members. All but one of those wallets is held at Binance; the other is held
22 at Kucoin. Binance and Kucoin are cryptocurrency exchanges that hold cryptocurrency wallets on
23 behalf of their customers.

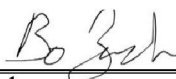
24 4. Binance and Kucoin are both centrally located overseas. Binance is formally a Malta
25 corporation, with most of its employees located in Singapore. Kucoin was established by Chinese
26 founders with corporate entities in the Cayman Islands, the Republic of the Seychelles, and Singapore.
27 Binance and Kucoin are cryptocurrency exchanges that hold the wallets at issue herein; we have no
28 information that presently suggests that these exchanges actively directed the Defendants’ conduct or

1 the scam described in the Verified Complaint in this matter, apart from being the exchange holders of
2 the cryptocurrency wallets in which the funds from these transactions were transferred.

3 5. Binance has a wide variety of subsidiaries and affiliates, but based upon my and Inca
4 Digital's investigation, Binance Holding Ltd. is the formal legal name of the cryptocurrency exchange
5 that holds the wallets identified in my original declaration. KuCoin also has a wide variety of
6 subsidiaries and affiliates, and those KuCoin subsidiaries and affiliates include Mek Global Limited,
7 Phoenix, Fin PTE Ltd., Flashdot Limited, and Peken Global Limited. Based upon my and Inca
8 Digital's investigation, those five KuCoin subsidiaries and affiliates, or all of them, are the formal
9 legal names of the cryptocurrency exchanges at KuCoin that hold the wallets identified in my original
10 declaration.

11 6. Binance and KuCoin hold and manage cryptocurrency wallets for their users. These
12 wallets are integral to these exchanges' operations, allowing users to deposit, store, and transact
13 cryptocurrencies. Binance's and KuCoin's custodial roles include maintaining control of the private
14 keys of user wallets, holding the associated funds, and facilitating transactions. This custodial
15 relationship gives Binance and KuCoin the ability to freeze the wallets that Plaintiff seeks to secure.

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17 Executed this 16th day of July, 2024, in Sinj, Croatia.

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21 _____
22 Charles Zach
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