

At IAS Part ____ of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse, 60 Centre Street, New York, New York 10007 on this ____ day of _____ 2022

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

RACHEL POUYAFAR,)
)
Plaintiff,)
)
-against-)
)
JOHN DOE NOS. 1-25,)
)
Defendants.)
_____)

Index No. _____

**[PROPOSED] ORDER
TO SHOW CAUSE AND
TEMPORARY RESTRAINING
ORDER**

Upon reading the filing by Plaintiff Rachel Pouyafar (“Plaintiff”) of the Summons and Complaint, the Affidavit of Plaintiff, dated September 28, 2023, the Affirmation of Charles Zach, dated September 29, 2023, the Affirmation of Rishi Bhandari, dated September 29, 2023, and the memorandum of law in support of this request for emergency relief by order to show cause for a preliminary injunction and a temporary restraining order pending the hearing on the preliminary injunction, pursuant to Civil Practice Law and Rules (“CPLR”) 6301, 6312 and 6313 and hearing wherein plaintiff asserts that it will suffer immediate and irreparable injury in the event that Defendants John Doe Nos. 1-25 (collectively, “Defendants”) are able to sell, transfer, convey or otherwise dissipate cryptocurrency allegedly stolen from Plaintiff by Defendants; it is

ORDERED that Defendants shall show cause before this Court, in Room _____, 60 Centre Street, New York, New York 10007, on _____, 2023, at _____ a.m./p.m., or as soon thereafter as counsel may be heard, why an order should not be issued: (i) preliminarily enjoining

during the pendency of this action the Defendants from disposing of, processing, routing, facilitating, selling, transferring, encumbering, removing, paying over, conveying or otherwise interfering with Defendants' property, debts, accounts, receivables, rights of payment, or tangible or intangible assets of any kind, whether such property is located inside or outside of the United States, including, but not limited to, the cryptocurrency held at the “hot wallet” address of: 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a (the “Binance Hot Wallet”), and it is further

ORDERED that, in the exercise of the Court’s discretion pursuant to CPLR § 6313(c), Plaintiff is not required to give an undertaking pending the hearing on this order to show cause; and it is further

ORDERED that Mandel Bhandari LLP, Plaintiff’s attorneys, shall cause to be served a copy of this Order to Show Cause, together with a copy of the papers upon which it is based, on or before _____, 2023, upon the person or persons controlling the Binance Hot Wallet via a special-purpose Ethereum-based token (the “Service Token”), delivered or airdropped into the Binance Hot Wallet. The Service Token will contain a hyperlink (the “Service Hyperlink”) to a website Mandel Bhandari LLP will cause to be created, wherein Mandel Bhandari LLP shall cause to be published this Order to Show Cause and all papers upon which it is based. The Service Hyperlink will include a mechanism to track when a person clicks on the Service Hyperlink. Such service shall constitute good and sufficient service for purposes of jurisdiction under NY law on the person or persons controlling the Binance Hot Wallet; and it is further

ORDERED that pending argument on the motion for a preliminary injunction, a Temporary Restraining Order, pursuant to CPLR 6313, shall be entered freezing the Binance Hot Wallet address of: 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a.

ORDERED, that opposing papers, if any, to this motion shall be served via mail to Mandel Bhandari LLP, 80 Pine Street, 33rd Floor, New York, NY 10005, and via email to rb@mandelbhandari.com, so as to be received on or before _____, 2023, and reply papers, if any shall be filed and served in the manner set forth above so as to be received on or before _____, 2023.

Dated: New York, New York

_____, 2023

ORDERED

J.S.C.