

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

RACHEL POUYAFAR,

Plaintiff,

-against-

JOHN DOE NOS. 1-25,

Defendants.


Index No. _____

SUMMONS

TO: John Doe Nos. 1-25

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer on Plaintiff's attorneys, Mandel Bhandari LLP, within 30 days after the service of this Summons, exclusive of the day of service; and, in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint. Plaintiff designates New York County as the place of trial. Venue is proper in New York County pursuant to CPLR § 503(a) because of residence of plaintiff. This action is not based on a consumer credit transaction.

Dated: New York, New York
September 29, 2023

By: 
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Attorney for Plaintiff

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

RACHEL POUYAFAR,)	
)	Index No. _____
Plaintiff,)	
)	
-against-)	<u>COMPLAINT</u>
)	
JOHN DOE NOS. 1-25,)	
)	
Defendants.)	
)	

Plaintiff Rachel Pouyafar (“Plaintiff”), by and through her undersigned counsel Mandel Bhandari LLP, brings this complaint for claims of conversion and money had and received against Defendants, and alleges as follows:

INTRODUCTION

1. This is an action responding to the theft of more than \$200,000 of Plaintiff’s property through a cryptocurrency scheme. Plaintiff is a resident of New York and a licensed New York real estate agent. She held this property at Coinbase, which operates a cryptocurrency platform and has offices in New York. Coinbase reported in August 2023, while this scheme was in motion, that approximately 19% of New York residents own cryptocurrencies.

2. The perpetrators of the theft (“Defendants”) are unknown persons, John Doe Nos. 1-25. Based on an investigation by Plaintiff’s counsel, as described below, Defendants used a fake persona, Yunhai Quan (“Quan”), with fake social media details, photos, and identification, to lure Plaintiff into believing she was dealing with a wealthy former Goldman Sachs employee who was running his own investment firm. Quan initially approached Plaintiff to purchase real estate in

New York, and then illegally converted Plaintiff's property through a cryptocurrency scheme known as "pig butchering."

3. The "pig butchering" label is unfortunately accurate: it describes the practice of using fake cryptocurrency accounts to "fatten" victims before slaughter. The perpetrators target people, frequently in New York, by promising—and then pretending to deliver—large, but fake, returns. These fake returns lure victims to deposit substantial amounts of their savings. Once victims have been "fattened" enough with reports of false profits, and have transferred large amounts of money, the perpetrators steal their property, and disappear.

4. The scheme here began on July 20, 2023, when Quan approached Plaintiff through WhatsApp in her capacity as a licensed New York real estate agent. Quan expressed an interest in buying residential property in New York, with a budget of \$5.7 million. Quan offered to give Plaintiff investing advice if she would help find him a house in New York.

5. Quan persuaded Plaintiff to deposit funds—initially just \$500 on July 31, 2023—in what appeared to be an account at QuedEx, a cryptocurrency exchange based in Gibraltar. Quan then reported, falsely, that Plaintiff had made \$90 of profit from cryptocurrency assets.

6. Quan immediately urged Plaintiff to deposit \$50,000 more, which she did. Quan then reported, again falsely, that Plaintiff had made profits from cryptocurrency assets. This time, Quan transferred the amount of those "profits," \$8,563.57, to Plaintiff. Plaintiff subsequently deposited more money during August 2023, and received additional false reports of "profits." On August 22, 2023, Coinbase flagged Plaintiff's transaction history as potentially involving illegal activity and then froze her account.

7. In fact, there were no QuedEx accounts, no investments, and no profits. Instead, Defendants' reports were fictitious, falsely indicating that Plaintiff's investments had made money when in truth her funds were not invested at all.

8. During recent days, Defendants have engaged in numerous rapid-fire digital transactions to convert Plaintiff's property and hide the locations of Plaintiff's cryptocurrency assets. Plaintiff quickly investigated Defendants' actions and uncovered the current location of her stolen cryptocurrency assets. Of Plaintiff's "investments," a total of \$202,650 remains, as of now, in an account Plaintiff has located at Binance. The account is identifiable by the "hot wallet" address of: 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a (the "Binance Hot Wallet"). A "hot wallet" refers to a cryptocurrency account that is always connected to the internet.

9. In addition, Plaintiff's assets are commingled in this account with other funds that likely represent property that Defendants similarly have stolen and converted from other "pig butchering" victims. In all, the above commingled Binance Hot Wallet account has approximately \$2.1 million of assets, including funds deposited during September 18-24, 2023.

10. Plaintiff's counsel continues to track Defendants' actions in real time. Plaintiff seeks an immediate temporary restraining order, before Defendants transfer her assets elsewhere. Time is of the essence, given that Defendants could transfer funds from the Binance Hot Wallet at any time, without notice.

PARTIES, JURISDICTION, AND VENUE

11. Plaintiff lives at 301 E. 66th St, Unit 3M, New York, NY 10065. Plaintiff is a real-estate agent with Compass, Inc., a real estate brokerage headquartered in New York.

12. Defendants are persons of unknown citizenship who perpetrated the wrongdoing alleged herein. Plaintiff will attempt to identify Defendants through discovery served on third parties with whom Defendants interacted.

13. Jurisdiction is proper in New York County because Defendants improperly received Plaintiff's funds from her account at Coinbase, which maintains a presence in New York. Coinbase has employees in New York and maintains a mailing address for its consumer assistance division at 82 Nassau St. #61234, New York, NY 10038.¹ As part of their scheme, Defendants sought to purchase real property in New York using a real estate agent licensed in New York.

14. Venue is proper in New York County pursuant to CPLR § 503(a).

STATEMENT OF FACTS

15. In summary, as described below, Defendants' actions here followed the "pig butchering" roadmap.² First, they created a fake identity. Quan posed as a former investment banker living a lavish lifestyle in California while running an investment firm. Quan initiated contact with Plaintiff via WhatsApp and won her trust by convincing her that he wanted to buy real estate through her, and was willing to help her invest in return for her help finding a New York residence. Then Quan persuaded Plaintiff to "invest" using a fake investment account she believed was associated with the QuedEx exchange. Quan convinced her to deposit a small amount of funds, sent her false evidence of investment "profits," and manipulated her to deposit increasing amounts.

¹ <https://www.coinbase.com/legal/licenses>.

² ProPublica recently published an in-depth investigation of pig butchering, describing how criminal syndicates operate, often by forcing human trafficking victims to perpetrate the schemes against their will, including the following process: "1) Create a fake identity. 2) Initiate contact. 3) Win the trust of the target. 4) Sign them up. 5) Get them to put real money into the fake account. 6) "Prove" that it's legitimate. 7) Manipulate them into investing more. 8) Cut them off. 9) Use their desperation to your advantage. 10) Taunt and depart." See Cezary Podkul, *What's a Pig Butchering Scam? Here's How to Avoid Falling Victim to One*, PROPUBLICA, Sept. 19, 2022, <https://www.propublica.org/article/whats-a-pig-butchering-scam-heres-how-to-avoid-falling-victim-to-one>. As described below, Defendants likewise followed these steps.

Finally, Defendants transferred Plaintiff's funds in ways that made them difficult to track and locate. These actions created a desperate situation for Plaintiff, leading her to investigate, and to file this action.

Defendants Lure Plaintiff with Lies

16. Defendants first contacted Plaintiff via WhatsApp on July 20, 2023. Quan stated that he was interested in New York real estate properties, which Plaintiff was showing to potential purchasers. Quan represented that he was a wealthy former investment banking executive living in California, where he had moved to start his own trading firm. Quan told Plaintiff: "I want to buy a modern style house with 4 to 5 bedrooms, 4 to 5 bathrooms, about 4,000 square feet, and my budget is \$5.7 million."

[7/20/23, 5:01:24 PM] Yunhai Quan: Messages and calls are end-to-end encrypted. No one outside of this chat, not even WhatsApp, can read or listen to them.
 [7/20/23, 5:01:24 PM] Yunhai Quan: <attached: 00000002-PHOTO-2023-07-20-17-01-24.jpg>
 [7/20/23, 5:01:36 PM] Yunhai Quan: Hi, is this Rachel?
 [7/20/23, 5:01:39 PM] Yunhai Quan: I am Yunhai.
 [7/20/23, 5:04:19 PM] Rachel Pouyafar: Hi
 Yes this is Rachel
 [7/20/23, 5:07:42 PM] Yunhai Quan: I am looking to purchase a property in Manhattan for my own residence and would like your help if you are still in the market.
 [7/20/23, 5:10:57 PM] Rachel Pouyafar: Of course
 Its my pleasure to help you
 [7/20/23, 5:11:16 PM] Rachel Pouyafar: Where do you currently reside
 [7/20/23, 5:12:26 PM] Yunhai Quan: I currently live in CA.
 [7/20/23, 5:13:00 PM] Rachel Pouyafar: I'm jealous
 I used to live in LA 🤔
 [7/20/23, 5:13:34 PM] Rachel Pouyafar: Let's connect and chat
 When is a good time for you?
 [7/20/23, 5:14:38 PM] Yunhai Quan: I want to buy a modern style house with 4 to 5 bedrooms, 4 to 5 bathrooms, about 4,000 square feet, and my budget is \$5.7 million.
 [7/20/23, 5:14:58 PM] Yunhai Quan: I live in Irvine. 😊
 [7/20/23, 5:15:37 PM] Rachel Pouyafar: Thats great
 Let's chat so I can taylor it to your needs

17. Although Quan targeted New York properties for purchase, and communicated about the details of these properties online, he expressed that he was unable to visit New York at the time to view the properties in person, due to his affluent lifestyle and travel, including weekend yacht getaways and international travel. Plaintiff communicated with Quan via WhatsApp from her residence in New York beginning during July 2023.

18. Plaintiff faced significant financial difficulties and pressure. She had lost her job during the COVID-19 pandemic, and had begun attempting to restart her career by working in real estate. Plaintiff is the primary financial supporter of both her daughter and her ailing mother, who

recently lost her vision. Plaintiff had taken out a \$120,000 government loan to provide for her family while she established herself as a New York real estate agent. She was eager to pursue a conversation with Quan, given his apparent affluent lifestyle and the prospect of selling him a property in New York.

Loan Type	Borrower	Status	Outstanding Balance	
Disaster COVID-19 Economic Injury	Rachel Pouyafar	Disbursed Current	\$131,600.00	Actions ▾

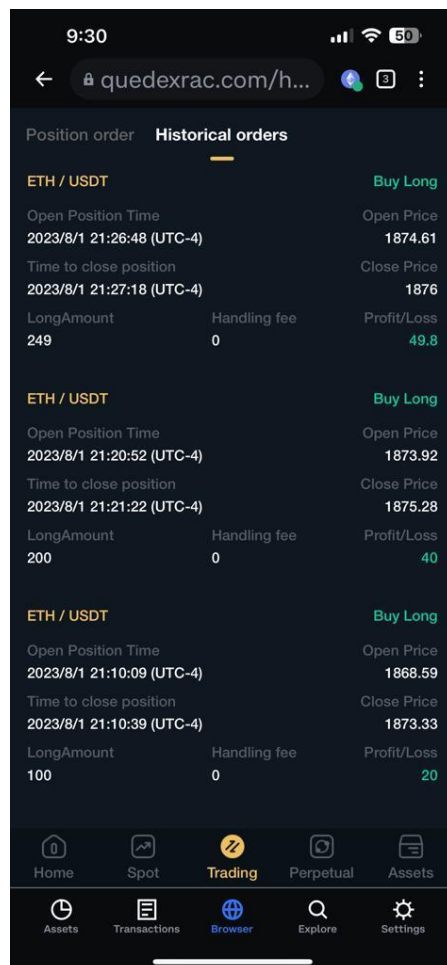
19. As part of their conversation regarding New York real estate, Quan asked if Plaintiff knew about investing in cryptocurrency and presented an investment opportunity through his purported trading firm. Quan represented that Plaintiff would receive returns on her investment if she invested with Quan. He further represented that he would give her investing advice if she would help him find a house in New York. Plaintiff believed that this investment opportunity was a religious blessing for the hardship she had endured through losing her employment during the pandemic. She intended to use the profits from the investment opportunity to support her mother and daughter.

[7/28/23, 5:08:07 PM] Yuhai Quan: how much do you know about cryptocurrency?
[7/28/23, 5:02:56 PM] Rachel Pouyafar: enough to get by. I'm not a professional at cryptocurrency I try to keep myself up to date
[7/28/23, 5:03:53 PM] Rachel Pouyafar: As you can tell, I'm very upfront and honest
[7/28/23, 5:05:56 PM] Yuhai Quan: I can give you some help and advice in the cryptocurrency field if you can help me find a suitable house. I also have over 16 years of experience and knowledge in cryptocurrency investment. I am very confident in myself and my team as you would be in real estate. *****
[7/28/23, 5:06:45 PM] Yuhai Quan: You can learn more about this in general, and it may broaden your sources of clients and groups in real estate in the future. This will be good for you.
[7/28/23, 5:07:18 PM] Rachel Pouyafar: Thank you that is a great idea

20. Defendants enticed Plaintiff to invest through a fake website, which she believed was the cryptocurrency exchange QuedEx. Plaintiff was provided a link to her supposed investment account at QuedEx,³ in which she was instructed to make and complete trade orders. Defendants manipulated the false link to show Plaintiff fake “returns” on her investment. In actuality, the funds Plaintiff sent to wallet address

³ quedextrac.com/h5#/home

0xf611bd67bb3ac6fc501a8fc990a950eea36bf903 were never associated with an investment account. Instead, Defendants presented Plaintiff with fraudulent data she believed to be her trading activity.



21. Based on an investigation by Plaintiff's counsel, the transactions and transfers associated with the scheme involved the following cryptocurrencies: "USDC" refers to a cryptocurrency known as "USD Coin," "ETH" refers to a cryptocurrency known as "Ethereum," "USDT" refers to a cryptocurrency known as "Tether," and "DAI" refers to a cryptocurrency maintained by a "decentralized autonomous organization" ("DAO") on the Ethereum blockchain.

22. Between August 1, 2023 and August 21, 2023, Plaintiff sent five transactions totaling 50,468.519489 USDC and 82.0994033 ETH from her Coinbase account to Ethereum

address 0xf611bd67bb3ac6fc501a8fc990a950eea36bf903, which she believed was associated with QuedEx. In total, Plaintiff deposited a total of approximately \$240,500 in the above wallet address as follows:


July 31, 2023: \$500.00
 August 2, 2023: \$50,000
 August 7, 2023: \$50,000
 August 11, 2023: \$50,000
 August 21, 2023: \$50,000
 August 22, 2023: \$40,000

23. The conversions of these U.S. dollar deposits into cryptocurrencies (in these instances, USDC and ETH) are set forth in the chart below.

AUG 21, 2023 06:58:23 PM	ETH	29.37759565	0x2d8329deef12175f1696ef9700283e9af25ca2c45aff1c1ad562a79d009c1ab	0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0	
AUG 21, 2023 09:42:11 PM	ETH	29.37803080	0x585c6d25e92e40fc8837f15342d4083fcd09d04f517d48a7b31bb00b6270c2c	0xa9d1e08c7793af67e9d92fe308d5697fb81d3e43	Coinbase EXCHANGE
AUG 12, 2023 01:17:23 AM	USDC	49,988.51948900	0x925d1dd735b9d76b9a4fafeef794f37207f59aff67fec6799f9cb6d8ad86302	0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0	
AUG 12, 2023 01:17:23 AM	ETH	0.00000000	0x925d1dd735b9d76b9a4fafeef794f37207f59aff67fec6799f9cb6d8ad86302	0xa3b8e991c6218b36c1d19d4a2e9eb0ce3605eb48	USD Coin SERVICES
AUG 12, 2023 01:06:47 AM	ETH	0.00160830	0x2b4f3255148fd76bb299e960521021ad49465887bd4aa4cb678555d1d119901	0x9d8dd477b15fda345bda8111896b28136b5401bc	
AUG 12, 2023 12:55:11 AM	USDC	49,988.51948900	0xaf4e1eacd7d3ddf919ae185be7eb4fb5da8362ae920139d290e519c0b9bc	0xa9d1e08c7793af67e9d92fe308d5697fb81d3e43	Coinbase EXCHANGE
AUG 9, 2023 03:31:23 AM	ETH	26.24529619	0x2541b7eefa7692b2eb9ec9c7d538bc0acd964ef76ceb2807d3b8151dd4d6c4	0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0	
AUG 9, 2023 03:18:11 AM	ETH	26.24552684	0x62124939b97bbf0bd9585e5a3f975a911e68207c35d4bd7064f372f119e681b5	0xa9d1e08c7793af67e9d92fe308d5697fb81d3e43	Coinbase EXCHANGE
AUG 2, 2023 09:52:23 PM	ETH	26.47719610	0x978ca936613c19e1dac17d8706c2a0874d8f048093f53698ea9eb92699823cb4	0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0	
AUG 2, 2023 09:42:11 PM	ETH	26.47584575	0xe4576fd0e693aa95a103cd7bd712518653e83ee11a61e4cace48d74183d76319	0xa9d1e08c7793af67e9d92fe308d5697fb81d3e43	Coinbase EXCHANGE
AUG 1, 2023 04:53:59 AM	USDC	480.00000000	0x9a273ae51b6782c71af109978e96a883f2c5bf428c262a6d401d799046d8e518	0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0	
AUG 1, 2023 04:53:59 AM	ETH	0.00000000	0x9a273ae51b6782c71af109978e96a883f2c5bf428c262a6d401d799046d8e518	0xa3b8e991c6218b36c1d19d4a2e9eb0ce3605eb48	USD Coin SERVICES
AUG 1, 2023 04:45:25 AM	ETH	0.00368063	0xdb5889fedbac76470ab96be7d303326ed92a582c3f11490bc719e8a9c72f5771	0x524e9d03a56bfcc6f581bc5c51338b875e344f	
AUG 1, 2023 04:09:11 AM	USDC	480.00000000	0x74c4fd0aac6d5db35ff0b3b42a6feae5ab196fbdd756b92311185d8ab539c2ef	0xa9d1e08c7793af67e9d92fe308d5697fb81d3e43	Coinbase EXCHANGE

24. On August 22, 2023, Coinbase, the centralized cryptocurrency exchange that Plaintiff was using to convert her deposits to cryptocurrency, notified her that it had noticed suspicious transactions occurring on her account and froze \$37,850 in her Coinbase account.

25. Defendants coached Plaintiff to convert that cryptocurrency into US dollars and transfer it to her Chase bank account. Defendants also attempted to persuade Plaintiff to open a new account at Crypto.com or Uphold, two centralized cryptocurrency exchanges. Meanwhile, during this time, as the investigation by Plaintiff and her counsel uncovered, Defendants were engaging in a complex scheme to convert her funds.

[8/23/23, 1:16:45 PM] Yunhai Quan: Inside the mobile app store
 [8/23/23, 1:16:56 PM] Yunhai Quan: Find and download, create an account
 [8/23/23, 1:17:32 PM] Yunhai Quan: Try [Crypto.com](#) to see if it works!
 [8/23/23, 1:18:12 PM] Rachel Pouyafar: I'm very confused
 I also don't know why I need to go to [crypto.com](#) to see what works ?
 [8/23/23, 1:18:46 PM] Yunhai Quan: You'll need to wire 48K here and send it to your Coinbase wallet and they'll and
 [8/23/23, 1:18:52 PM] Yunhai Quan: 
 [8/23/23, 1:19:02 PM] Rachel Pouyafar: Why can't you get on the phone with me so I can understand it better
 [8/23/23, 1:19:39 PM] Yunhai Quan: Uphold
 [8/23/23, 1:20:21 PM] Rachel Pouyafar: So what's [crypto.com](#)
 [8/23/23, 1:22:02 PM] Rachel Pouyafar: I need to understand
 What is the difference
[Crypto.com](#)
 Uphold
 And coin base wallet

I know that I have trusted you and done would you ask but this is getting overwhelming for me and I don't want to do things that I don't understand. I'm not in the finance world and this information doesn't come easy for me.
 [8/23/23, 1:20:55 PM] Yunhai Quan: Also download an Uphold from your mobile phone APP Sryore?
 [8/23/23, 1:29:52 PM] Rachel Pouyafar: Sryore?
 [8/23/23, 1:30:31 PM] Yunhai Quan: App Store
 [8/23/23, 1:31:17 PM] Yunhai Quan: [Crypto.com](#) is not supported in New York
 [8/23/23, 1:34:25 PM] Yunhai Quan: Uphold it's supported for use in New York and can be linked to your Coinbase wallet

Defendants Steal Plaintiff's Property

26. Plaintiff and her counsel are aware of the following transactions as part of the scheme based on their investigation.

27. On August 11, 2023, Defendants sent 49,988.519489 USDC from the initial wallet address 0xf611bd67bb3ac6fc501a8fc990a950eea36bf903, to wallet address 0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0 in transaction 0x925dfdd735b9d76b9a4fafeef794f37207f59aff667fec6769f9cb6d8ad86302.

28. Defendants then utilized decentralized exchange Tokenlon smart contract 0x4a14347083b80e5216ca31350a2d21702ac3650d to swap the victim's 49,988.519489 USDC to 49,960.43400276 DAI in transaction 0x2e94ce936779cb6fb8fd8ba50e579465006edff5c46340b1438dd24851c53a71. This amount of DAI was then combined with other amounts of DAI already held in wallet 0xe8044fa8f33cd2b12e52d6746f489a58fb4afcd0 to total 76,974.0281 DAI which was then sent to wallet address 0xd1070a15381de901d90a8034f88fc30346dcda0e in transaction 0xc468cca6307631e888cd34d5467b85fd8a0b4151b381e6d977a27144be4662e0 on August 11, 2023.

29. Once in wallet address 0xd1070a15381de901d90a8034f88fc30346dcda0e, the DAI was then further combined with other funds to make an amount totaling 500,000.00 DAI which was then sent to wallet address 0x2829ada0f48dddc7352c12e2d686e172819b2dba in transaction

0xec028684ec560066060edcea8089948e10b5e4fa3fbf44034d0a108128feca52 on August 12, 2023.

30. On August 13, 2023, that 500,000 DAI was sent to wallet address 0x4c7822051e2395fafb9a2862863e3acbdb96171 in transaction 0x3b93621b78db98cd6c111ad59cb5c42681de15c6af05a6a97583721d24d941d7.

31. That 500,000 DAI was then combined with other amounts of DAI already held in wallet 0x4c7822051e2395fafb9a2862863e3acbdb96171 to total 1,000,000 DAI, which was then sent to wallet address 0x7f3c82e892616d4d5a325fa13e4f4d04a8d312ce in transaction 0x802292f8753af9b9aa44b7c682d29a98bdfa075f989bbdb1c49f7177083e1cc8 on August 21, 2023.

32. Once in wallet address 0x7f3c82e892616d4d5a325fa13e4f4d04a8d312ce, the 1,000,000 DAI was divided into three pieces of 500,000 DAI, 325,000 DAI, and 175,000 DAI. The 500,000 DAI was then swapped for 500,066.661335 USDT using Uniswap smart contract 0x48da0965ab2d2cbf1c17c09cfb5cbe67ad5b1406 in transaction 0xdf46c3ae75f128651bf294f595f622afd3ad8ccfc5ef744351787264d36a3945. This 500,000 USDT was then sent to wallet address 0xe85a08a79fc70e8d1aaa84a54404a22665aaac22 in transaction 0x73ba3fb0327efd367c217ed9a68fae711165cc005ccd41c2d23d344245e308a1 on August 21, 2023.

33. Once in wallet address 0xe85a08a79fc70e8d1aaa84a54404a22665aaac22, the 500,000 USDT was combined with other amounts of USDT already held in the wallet to total 989,017.00 USDT. On August 21, 2023, this 989,017.00 USDT was then swapped to 589.49992143 ETH utilizing Tokenlon smart contract 0x4a14347083b80e5216ca31350a2d21702ac3650d in transaction

0x5cfdce27f6236b6f772cb1b9f14d457dbd70e27c31cb2474fdd76af4027cd31. 588 of that ETH was then sent to wallet address 0x81aa37777aa5a00c02792bc08a5f1507e85ef8ad in transaction 0xdc20fd9db7ec45dfd0aaa7ba42bdc972675d8f87e0b21b3fe1114966458bb1b.

34. On August 21, 2023, 480 of the 588 ETH was then swapped to 799,490.013651 USDT utilizing Tokenlon smart contract 0x4a14347083b80e5216ca31350a2d21702ac3650d in transaction 0xb022e8eff0d6264863d3c83afc02c89804957d850b8ec3d8a60233e2418c9d00. 620,600.00 USDT of that amount was then sent to wallet address 0x45d0093e066f8e942b78224554feb2ded73717a8 in transaction 0x6b2b037b5ab50571a976abee7e9ba39105bfd0e2efa18c96fe82361c5e1a7987. Those funds currently remain in wallet address 0x45d0093e066f8e942b78224554feb2ded73717a8.

35. On August 21, 2023, 150,000 USDT of the remaining amount in wallet address 0x81aa37777aa5a00c02792bc08a5f1507e85ef8ad was sent to wallet address 0xff1338533489d20ddcb191563ff0a102a03adb92 in transaction 0x2ad8780f71db4444896f70de8dbd844c3adb0c014985cdcfadd6009520725d63. The 150,000 USDT in wallet address 0xff1338533489d20ddcb191563ff0a102a03adb92 was then combined with an existed 350,000 USDT already in the wallet to total 500,000 USDT, which was then sent back to wallet address 0x81aa37777aa5a00c02792bc08a5f1507e85ef8ad in transaction 0xaa6644413492daf8bafcc91dc5cebbfa60b5cf804bd3de53a40e6209f7c2d87f on September 20, 2023.

36. Once back in wallet address 0x81aa37777aa5a00c02792bc08a5f1507e85ef8ad, the 500,000 USDT was split into two amounts of 150,000 USDT and 400,000 USDT, and sent to Binance hot wallet address 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a on September 20, 2023, in transactions

0x092186f0dc5274bad9a55f031b735407d7dd74ba27d7ec44dac4980d138a48cd and
0x37d1272b48f24e43a02fccbbc047bf52691ec2d5b9631bf7b2c5b987188d853f, respectively.

37. The remaining 108 ETH of the 588 ETH which entered wallet address 0x81aa37777aa5a00c02792bc08a5f1507e85ef8ad was then part of transaction 0xeb8de862018d268965814a99418ecb34e271a7554c8fb8682b9b76a95f431bed, in which 198 ETH was swapped for 314,733.517521 USDT utilizing Tokenlon smart contract 0x8d90113a1e286a5ab3e496fbd1853f265e5913c6. This USDT was then combined with other USDT in the wallet to total 323,506.00 USDT, which was sent to Binance hot wallet address 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a on September 21, 2023, in transaction 0x329bcb15b8604be3ff17f67b3199c6e34e74c1c4fd674c56611d000193cf26c3.

38. In total, three transactions worth 873,506 USDT connected to the cryptocurrency/tokens scammed from Plaintiff were deposited to Binance hot wallet 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a between September 20, 2023 and September 22, 2023.

39. Plaintiff's counsel has access to proprietary technology that has allowed it to locate \$202,650 of Plaintiff's funds in the Binance Hot Wallet: 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a. Defendants could move Plaintiff's funds from this account anytime, without notice. If this wallet is frozen before Defendants withdraw Plaintiff's funds, Plaintiff might be able to recover some or all of these funds. If not, she likely will lose her property forever.



40. New York courts have previously considered similar threats of cryptocurrency theft, and have responded immediately by granting a temporary restraining order. For example, in *LCX AG v. John Doe Nos. 1-25*, the Court properly issued a Temporary Restraining Order to freeze the stolen assets and allow the Plaintiff the opportunity to recover. See Order to Show Cause and Temporary Restraining Order, *LCX AG v. John Doe Nos. 1-25*, Index No. 154644/2022 (N.Y. Sup. Ct. Jun. 2, 2022) (Masley, J.), <https://iapps.courts.state.ny.us/fbem/DocumentDisplayServlet?documentId=8s0QJtgcFH/oFAJOghtK1g==&system=prod>.

FIRST CAUSE OF ACTION
CONVERSION

41. Plaintiff incorporates paragraphs 1 through 39 as if set forth fully herein.
42. Plaintiff's stolen funds are identifiable intangible articles of property, traceable using identified techniques and associated with specific virtual asset addresses.
43. Plaintiff had an immediate possessory right to her stolen funds.
44. Defendants intended to and did exercise absolute dominion over Plaintiff's stolen funds when Defendants transferred Plaintiff's stolen funds to addresses over which Plaintiff has no control, and moved those assets through multiple digital transactions in an attempt to hide the illicit transactions and current location of Plaintiff's stolen assets.
45. Defendants' dominion over Plaintiff's stolen assets was in derogation of Plaintiff's right to her assets, completely depriving Plaintiff of the use of her stolen assets.
46. Defendants' dominion over Plaintiff's stolen assets damaged Plaintiff.

SECOND CAUSE OF ACTION
MONEY HAD AND RECEIVED

47. Plaintiff incorporates paragraphs 1 through 39 as if set forth fully herein.

48. Defendants received Plaintiff's stolen assets from Plaintiff by way of the "pig butchering" scheme described above.

49. Defendants benefited from receiving Plaintiff's stolen assets by transferring them to a digital wallet under Defendants' sole control.


50. In principles of equity and good conscience, Defendants should not be allowed to retain Plaintiff's stolen assets because Defendants had no authority to receive and transact Plaintiff's stolen assets.

DEMAND FOR RELIEF

Wherefore, Plaintiff respectfully requests that this Court enter a temporary restraining order prohibiting Defendants from disposing of, processing, routing, facilitating, selling, transferring, encumbering, removing, paying over, conveying or otherwise interfering with Plaintiff's 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, cryptocurrency or other digital assets held in the Binance Hot Wallet: 0x01d19c7dab1da4d2c9a7a8c54a9c1e9b7b5a7b9a.

Plaintiffs further requests that this Court enter an order awarding: (1) damages in the amount of at least \$202,650, that being the value of Plaintiff's stolen assets at the time of the theft from Plaintiff; (2) pre-judgment interest; (3) an injunction ordering the return of any remaining Plaintiff's stolen assets or the proceeds derived from the same; (4) attorneys' fees and costs incurred in prosecuting this action; and (5) any other relief that the Court finds just and proper.

Dated: September 29, 2023

By: 
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