

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

RACHEL POUYAFAR, on behalf of herself
and all others similarly situated,

Plaintiff,

-v-

YUNHAI QUAN, JOHN DOE NOS. 1-25,

Defendants.

Index No. 654820/2023

Hon. Richard G. Latin, J.S.C.

Part 46

Mot. Seq. #001

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Motion for Class Certification under CPLR §§ 901 and 902, the affirmation of Rishi Bhandari, and all prior pleadings and proceedings herein, Plaintiff Rachel Pouyafar through her attorneys will move this Court, before the Hon. Richard G. Latin in the Supreme Court of the State of New York, County of New York, located at 60 Centre Street, New York, New York, in the Submission Part, Room 130, at 9:30 a.m. on April 29, 2024, or as soon thereafter as counsel may be heard, for an order (i) certifying this action as a class action; (ii) appointing Rachel Pouyafar as the class counsel; (iii) appointing Mandel Bhandari LLP, Bishop Partnoy LLP and Adam Zarazinski as class counsel; and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR § 2214(b), answering papers, if any, are required to be served so as to be received at least seven (7) days before the return date of this motion.

A proposed Order is attached as Exhibit A.

Dated: New York, New York
April 12, 2024

Respectfully submitted,

By: _____

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EXHIBIT A

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**[PROPOSED] ORDER
GRANTING PLAINTIFF'S
MOTION FOR CLASS
CERTIFICATION**

Having considered the motion of Plaintiff Rachel Pouyafar for class certification, and the accompanying memorandum of law and affirmation of Rishi Bhandari, the Court ORDERS as follows:

1. The motion is GRANTED;
2. The action is hereby certified to proceed as a class action under CPLR 901 and 902;

3. The Class is defined as:

All persons and entities whose funds were unlawfully taken by Defendants beginning on May 21, 2023, and whose stolen cryptocurrency is contained in the wallets on the Binance Exchange listed in the First Amended Complaint and Appendix A in this action, or in other cryptocurrency accounts at Binance controlled by Defendants.

Excluded from the Class are Defendants, the officers, directors, and affiliates of Defendants at all relevant times, members of their immediate families, their legal representatives, heirs, successors or assigns, and any entity in which Defendants have or had a controlling interest.

4. Plaintiff Rachel Pouyafar is hereby appointed to serve as Class Representative;

5. Mandel Bhandari LLP, Bishop Partnoy LLP and Adam Zarazinski are hereby designated as Class Counsel.

IT IS SO ORDERED.

Dated: _____, 2024

THE HON. RICHARD G. LATIN, J.S.C.