

No. 2024-46570

NATALIA ELMOWAFI, on behalf of	§	IN THE DISTRICT COURT OF
Herself and all others similarly situated,	§	
	§	
Plaintiff,	§	
	§	
V.	§	HARRIS COUNTY, TEXAS
	§	
CHRIS YANG and JOHN DOES 1-25,	§	
	§	
Defendants.	§	334 th JUDICIAL DISTRICT

**PLAINTIFF’S EX PARTE MOTION TO EXTEND TEMPORARY
RESTRAINING ORDER AGAINST CHRIS YANG AND JOHN DOES 1-25**

Class Plaintiff Natalia Elmowafi files this, her Ex Parte Motion to Extend Temporary Restraining Order Against Chris Yang and John Does 1-25 pursuant to Rule 680 as follows:

Plaintiff and Class Members (collectively “Plaintiffs”) are victims of what is known as a “pig butchering” scam. Criminals, likely using aliases such as Defendant “Chris Yang,” lied to them, told them they were investing in cryptocurrency, created fake trading platforms, and then disappeared with their money.¹ These scams have cost victims worldwide billions of dollars.

Law enforcement has been largely unable to help victims recover these stolen funds. Once turned into cryptocurrency, the assets can be instantly transferred from one crypto wallet (the unique digital addresses housing the “keys” to access the assets) to the next, a process that takes no longer than the time it takes to click a button.

Crypto scammers are well organized and sophisticated enough to know that by transferring assets from one wallet to the next while operating outside the jurisdiction of the United States, they

¹ Plaintiff and Class Members adopt, as if fully set out herein, their Original Class Action Petition, Application for Temporary Restraining Order, Temporary, and Permanent Injunctions.

can accumulate large pools of assets outside the reach of the courts of this country. That is precisely what they do: maintain large networks of wallet addresses and transfer assets between them, frequently creating new ones.

It is thanks only to the investigators at Inca Digital – in this case, Charles Zach – that Plaintiffs have been able to trace and identify the stolen crypto. Of course, if the Defendants are made aware that their wallets had been identified, they would simply empty them, this time taking the kinds of precautions that would conceal the assets permanently, leaving Plaintiffs with no remedy.

Elmowafi filed suit for herself and a class of similarly-situated victims on July 24, 2024. On an ex parte basis, she sought and received a temporary restraining order (“TRO”) requiring large, legitimate crypto trading platforms to freeze the wallets identified by Inca. Plaintiffs’ application for Temporary Injunction was originally set to be heard on August 6, 2024. Later, the Court moved the date up to next Tuesday, July 30.

For the TRO to be effective, the trading platforms must be notified of its existence and take appropriate action to freeze the wallets identified. Though the undersigned promptly provided notice to the platforms (not the Defendants) via email to the addresses provided to them previously, Plaintiffs simply have not had enough time to ensure that (i) all the platforms have received notice; and (ii) the platforms have frozen the wallets in compliance with the TRO. Once that occurs, Plaintiffs will notify Defendants that the assets they stole have been frozen.

Plaintiffs additionally have not had enough time to prepare for the evidentiary hearing, including organizing exhibits and preparing witnesses to testify. Plaintiffs’ key witness, Charles Zach, lives in Croatia. He could be made available to testify on less notice if the Court would permit him to testify via Zoom or other electronic means. Given the distance he would have to

travel for an interim hearing, in addition to their request that the TRO be extended for fourteen days, Plaintiffs request the Court permit Mr. Zach to testify remotely.

Pursuant to TEX.R.CIV.P. 680, Plaintiffs request the Court extend the existing TRO for a period of 14 days, set this matter for a hearing on Plaintiffs' motion for entry of a temporary injunction, permit Charles Zach to testify remotely, and for all other and further relief to which they may show themselves to be justly entitled.

A proposed order is attached.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

VERIFICATION

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

My name is Natalia Elmowafi. I am over 18 years of age, have never been convicted of a felony or a crime of moral turpitude, and am otherwise competent to execute this declaration. I am the named plaintiff in the above-captioned matter, which I have filed as a class action on behalf of myself and all others similarly situated.

The facts stated in this Ex Parte Motion to Extend Temporary Restraining Order Against Chris Yang and John Does 1-25 are within my personal knowledge and are true and correct.

My name is Natalia Elmowafi, my date of birth is July 12, 1977, and my address is 7100 Almeda Rd., Apt. 2230, Houston, Tx 77054. I declare under penalty of perjury the foregoing is true and correct.

Executed in Houston, Harris County, Texas on ^{07 / 27 / 2024}
07 / 27 / 2024.



Natalia Elmowafi

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I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this November 19, 2024

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Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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