

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

ANDREW CHAIT, on behalf of himself)
and all others similarly situated,)
)
Plaintiff,)
)
-against-)
)
WENDY LEE, EILEEN BURBRIDGE,)
MARY SCOTT, VERNA, ETTIE LEE,)
KEIKO FUJIWARA and JOHN DOE NOS. 1-25,)
)
Defendants.)
_____)

Index No. _____

**AFFIRMATION
OF CHARLES ZACH
IN SUPPORT OF
MOTION TO SEAL**

I, Charles Zach, affirm under penalty of perjury as follows:

INTRODUCTION

1. I am employed as a Lead Illicit Finance Investigator by Inca Digital, a company that specializes in investigating cryptocurrency schemes, including “pig butchering.” As part of my employment at Inca Digital, I have investigated matters related to Andrew Chait’s (“Class Plaintiff”) above-captioned action against Defendants Wendy Lee, Eileen Burbridge, Mary Scott, Verna, Ettie Lee, Keiko Fujiwara, and John Does Nos. 1-25 (collectively “Defendants”). I am over 18 years of age, of sound mind, and am competent to make this Affirmation. The evidence set forth in this Affirmation is based on my personal knowledge unless expressly stated otherwise.

2. Inca Digital is a leading digital asset intelligence firm providing data, analytics, and expertise to cryptocurrency exchanges, financial institutions, regulators, and government agencies. Inca Digital’s services are used to trace illicit financial activity and combat fraud, particularly in cases involving complex cryptocurrency schemes.

3. I hold a Master of Arts in Global Risk from Johns Hopkins University, School of Advanced International Studies (SAIS), where I specialized in Strategic Foresight for Political Risk Analysis, Risk in International Politics and Economics, and Conflict and Risk in Cyberspace. I also earned a Bachelor of Arts in International Relations with a concentration in European Studies from the University of Arkansas. I am a Certified Cryptocurrency Tracing Examiner (CTCE) and hold certifications in Anti-Money Laundering and Transaction Monitoring. I am a member of the Association of Certified Anti-Money Laundering Specialists (ACAMS). Prior to my work at Inca Digital, I served as a Cleared American Guard with the United States Department of State and as a Marine Embassy Security Guard with the United States Marine Corps.

4. Inca Digital has been investigating “pig butchering” cases for over two years. “Pig butchering” is a fraudulent scheme in which victims are manipulated into investing in fake cryptocurrency platforms, often through social media or messaging applications. These scams have resulted in billions of dollars in losses and are under investigation by both state and federal authorities. Based on my extensive experience in investigating such schemes, this case clearly involves a coordinated and large-scale “pig butchering” operation.

5. In this case, the fraudulent scheme revolves around several fake cryptocurrency trading and investment platforms. Defendants used these platforms to lure Class Plaintiff and other class members into transferring cryptocurrency to wallets that Defendants controlled. The goal of this class action is to freeze the wallets holding the converted funds and facilitate the return of these stolen assets to the defrauded Class Members.

6. This Affirmation is submitted in support of Class Plaintiff's Order to Show Cause for a sealing order to allow Class Plaintiff to file under seal certain documents and portions of documents, and publicly file redacted versions of those documents.

7. The documents and information sought to be filed under seal include (i) Class Plaintiff's Complaint and Appendix A, (ii) Class Plaintiff's Affirmation in support of his proposed Order to Show Cause for a preliminary injunction and a temporary restraining order, dated October 22, 2024, (iii) the Affirmation of Charles Zach in support of the request for a TRO and Preliminary Injunction dated October 23, 2024, and (iv) the Memorandum of Law in Support of Class Plaintiff's Motion for a TRO and Preliminary Injunction (together, the "Requested Sealing Documents"), at least until such time as the Court enters a TRO freezing the assets at issue in the Amended Complaint and the assets have been successfully frozen.

8. The Requested Sealing Documents describe Class Plaintiff's investigation into Defendants' movement of stolen crypto assets belonging to him and similarly situated class members.

9. The Requested Sealing Documents detail specific information about Defendants' scheme to use "pig butchering" to misappropriate the cryptocurrency assets of numerous prospective Class Members.

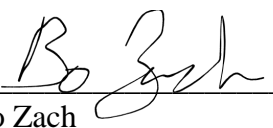
10. Based on my experience tracing stolen crypto assets, if the information in the Requested Sealing Documents is publicly disseminated and Defendants or people in contact with them became aware of that information – which includes descriptions of the role and addresses of various cryptocurrency wallets involved in Defendants' scheme, and details of wallets Class Plaintiff seeks to freeze – it is very likely that Defendants will move the stolen assets from their current locations.

11. Due to the nature of cryptocurrency assets, Defendants would be able to move Class Plaintiff's and class members' assets very quickly, with no notice to Class Plaintiff or class members.

12. If Defendants moved these assets from where they are currently held, it is very likely that those assets could no longer be traced and Class Plaintiff and class members would never be able to recover those assets.

13. I affirm this 23rd day of October, 2024, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Dated: October 23, 2024

By: 
Charles Bo Zach

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Certification Pursuant to 22 NYCRR § 202.8-b

I, Rishi Bhandari, at attorney duly admitted to practice law before the courts of the State of New York, hereby certifies that this Affirmation contains 819 words, excluding the parts exempted by § 202.8-b(b), and therefore complies with the word count limit set forth in 22 NYCRR § 202.8-b(a).

Dated: New York, New York
October 23, 2024

By: /s/ Rishi Bhandari
Rishi Bhandari, Esq.