

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 \_\_\_\_\_ 2024

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. \_\_\_\_\_

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

Upon the filing by Plaintiff Andrew Chait (“Plaintiff”) of the Summons and Complaint in this action, and Plaintiff’s Affirmation dated October 22, 2024, the Affirmation of Charles Zach, dated October 23, 2024, the Affirmation of Rishi Bhandari, dated October 23, 2024, 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 under Civil Practice Law and Rules (“CPLR”) 6301, 6312 and 6313, wherein Plaintiff asserts that he will suffer immediate and irreparable injury in the event that Defendants Wendy Lee, Eileen Burbridge, Mary Scott, Verna, Ettie Lee, Keiko Fujiwara, and 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 \_\_\_\_\_, 2024, at \_\_\_\_\_ a.m./p.m., or as soon thereafter as counsel may be heard, why an order should not be issued preliminarily enjoining, during the pendency of this action, the Defendants from withdrawing, transferring, selling, encumbering, or otherwise altering any of the cryptocurrency or assets held in the wallet addresses listed in Appendix A to the Complaint in this action (the “Deposit Wallets”), which shall be frozen, whether located inside or outside of the United States of America, 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 \_\_\_\_\_, 2024, upon the person or persons controlling the Deposit Wallets via the Input Data Message (“IDM”) process by which a message will be sent to the Deposit Wallets using the Input Data field on a transaction on the Ethereum blockchain. The message 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 New York law on the person or persons controlling the Deposit Wallets; 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 enjoining Defendants from withdrawing, transferring, selling, encumbering, or otherwise altering any of the cryptocurrency or assets held in the Deposit Wallets, which shall be frozen, whether such property is located inside or outside of the United States of America, and it is further

ORDERED that, pending the hearing of this motion, the Clerk of the Court is directed to restrict access to (i) 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; (ii) The Affirmation of Charles Zach in support of Plaintiff's proposed Order to Show Cause for a preliminary injunction and a temporary restraining order, dated October 23, 2024, and (iii) The Memorandum of Law in Support of Class Plaintiff's proposed Order to Show Cause for a preliminary injunction and a temporary restraining order, dated October 23, 2024, except as to Plaintiff, his counsel, and authorized court personnel, and it is further

ORDERED, that opposing papers, if any, to this motion shall be served on Mandel Bhandari LLP, 80 Pine Street, 33<sup>rd</sup> Floor, New York, NY 10005, so as to be received on or before \_\_\_\_\_, 2024, and reply papers, if any shall be filed and served in the manner set forth above so as to be received on or before \_\_\_\_\_, 2024.

Dated: New York, New York

\_\_\_\_\_, 2024

ORDERED

\_\_\_\_\_

J.S.C.