NYSCEF DOC. NO. 16 NYSCEF DOC. NO. 15 INDEX NO. 159881/2024 RECEIVED NYSCEF: 10/25/2024 RECEIVED NYSCEF: 10/25/2024

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 25 day of OCTOBER 2024

HON. HASA A. KINGO

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. 159881/2024

[<del>PROPOSED</del>] ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

MS#2 - INJUNCTION

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

INDEX NO. 159881/2024

NYSCEF DOC. NO. 16 NYSCEF DOC. NO. 15 RECEIVED NYSCEF: 151881472624
RECEIVED NYSCEF: 10/25/2024

ORDERED that Defendants shall show cause before this Court, in Room 103, 60 Centre

Street, New York, New York 10007, on 10/30, 2024, at 15 am(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 for such other and further relief this court are further for such other and further relief this court are many further for such other and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further and further relief this court are many further further further and further relief this court are many further further further and further further further and further further further and further furth

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

NYSCEF DOC. NO. 16 NYSCEF DOC. NO. 15

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

INDEX NO. 159881/2024

NYSCEF DOC. NO. 16 INDEX NO. 159881/2024

NYSCEF DOC. NO. 16 RECEIVED NYSCEF: 10/25/2024

NYSCEF DOC. NO. 15 RECEIVED NYSCEF: 10/25/2024

ORDERED, that opposing papers, if any, to this motion shall be served on Mandel

Bhandari LLP, 80 Pine Street, 33rd Floor, New York, NY 10005, so as to be received on or

before 16 0, 2024, and reply papers, if any shall be filed and served in the manner

ENTER

HÓN.JHASA A. KINGO

J.S.C.

set forth above so as to be received on or before , 20

Dated: New York, New York

10/25/24

ORAL ASSUMENT

MRECIED