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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

YOUNES YOUNES, on behalf of himself and all others similarly situated, 　　　　　Plaintiff, 　　v. ELVIRA TAYLOR and DOES 1 through 200, inclusive, 　　　　　Defendants.	Case No. 24STCV12520 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION FOR CLASS CERTIFICATION** [Notice of Motion, Statement Regarding Class Notice, Proposed Notice of Pending Class Action, Declarations of Younes Younes, Adam Zarazinski, Shaun Martin, and Nicole G. Malick, and Proposed Order Filed Concurrently Herewith] Assigned for All Purposes to Hon. Elihu Berle Date:　　　　May 7, 2025 Time:　　　　11:00 A.M. Place:　　　　312 N. Spring Street, 　　　　　　　Los Angeles, CA 90012 　　　　　　　Dept. 6 Action Filed:　May 17, 2024 Trial Date:　　None

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Plaintiff Younes Younes ("Plaintiff") submits this memorandum of law in support of his motion under for an order: (1) certifying a class as defined below, (2) appointing him to be Class Representative, and (3) appointing Plaintiff's counsel as Class Counsel.

I.   <u>INTRODUCTION</u>

Plaintiff seeks certification of a class of at least 325 individuals who suffered losses in a cryptocurrency scam orchestrated by Defendants. Posing as recruiters, Defendants directed Plaintiff and other class members to a fake online job platform, claiming they could accumulate earnings by performing various tasks. After misleading Plaintiff into believing he had earned substantial amounts in the online platform, they demanded additional "recharge" payments from him, falsely asserting that these deposits were necessary to unlock the purported earnings. Plaintiff and other class members transferred substantial cryptocurrency holdings into wallets controlled by Defendants. For example, Plaintiff personally transferred over $400,000 to Defendants pursuant to this scheme.

Defendants then stole all of these funds, which were then transferred by Defendants through a deliberate and complex series of transactions intended to conceal their origin. The cryptocurrency was routed through multiple addresses and cycled through layered transactions before ultimately being consolidated in identifiable cryptocurrency deposit wallets at Binance and OKX. Plaintiff filed suit, and this Court promptly entered a temporary restraining order, and subsequently a preliminary injunction, that froze those funds. Plaintiff now seeks an order certifying the class so that it may return to the hundreds of defrauded class members the over $1 million in stolen funds.

A class action is the most efficient and equitable means of resolving these claims — ensuring recovery is achieved through collective action that aligns with the structure of Defendants' coordinated deception. Plaintiff therefore moves this Court to certify the class.

This case readily satisfies the prerequisites for class certification. Each class member's claim arises from the same calculated and coordinated scheme of deception regarding the legitimacy of the fake online platform and the need for additional payments. The stolen funds obtained from these victims were ultimately pooled in specific, identifiable cryptocurrency wallets that have since been frozen by this Court. Class certification will enable these frozen assets to be returned to their rightful owners: the 300+ members of the class victimized by the Defendants.

Plaintiff and proposed class counsel are well-prepared to lead this action, having already secured court orders freezing the cryptocurrency wallets to which Defendants transferred and retain the misappropriated funds. A class action is the most efficient and equitable means of resolving these claims and securing potential recovery for all individuals affected by Defendants' scheme. Plaintiff therefore moves this Court to certify the class.

II. THE PROPOSED CLASS

Plaintiff seeks to certify the following Class:

> All persons whose property was converted by Defendants using fake online platforms and then routed and deposited at the OKX and Binance deposit addresses set forth in Paragraph 22 of the Complaint in this action.

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.

III. BACKGROUND

A. Factual Background

In January 2024, Plaintiff Younes Younes, a California resident, was contacted via WhatsApp by an individual identifying herself as "Elvira Taylor." Declaration of Younes Younes dated April 5, 2025 ("Younes Decl."), ¶ 3. Taylor claimed to offer Plaintiff a part-time online job opportunity that promised substantial cryptocurrency earnings. *Id*. She directed Plaintiff to a fake online platform where he completed various tasks, believing that he was accumulating substantial earnings based on Taylor's representations. Younes Decl., ¶ 4.

After Plaintiff purportedly earned funds through the platform, Defendants falsely claimed that Plaintiff had to make additional "recharge" payments to "validate" his account and maintain his "eligibility" to withdraw his accumulated earnings. *Id*. Relying on Defendants' representations, Plaintiff ultimately transferred over $400,000 in cryptocurrency into wallets controlled by Defendants. *Id.* Unbeknownst to Plaintiff at the time, this platform was part of a coordinated scheme to defraud victims through calculated deception and misrepresentation. No matter how much Plaintiff paid Defendants, and no matter how many times he attempted to withdraw his so-called "earnings,"

Plaintiff was never able to recover either the funds he had transferred or the promised returns. Younes Decl., ¶ 4.

When it became clear that his funds were inaccessible, Plaintiff and his counsel engaged Inca Digital ("Inca"), a blockchain tracing firm with extensive expertise in tracing stolen digital assets. Younes Decl., ¶ 5; Declaration of Adam Zarazinski dated April 4, 2025 ("Zarazinski Decl."), ¶ 3. Inca's forensic tracing investigation revealed that Defendants operated a structured laundering scheme designed to obscure the origin and movement of victim funds. Zarazinski Decl., ¶ 14.

Inca's forensic tracing revealed a deliberate, coordinated movement of misappropriated assets. Plaintiff and other victims were instructed by Defendants to send their initial asset transfers to specific wallets that Defendants controlled. These wallets are referred to as "Pivot Wallets" because they operate as key control points where victim deposits are aggregated before being redirected through multiple onward transactions — effectively "pivoting" the flow of stolen funds to break clean transaction links and obscure their origin. Zarazinski Decl., ¶ 5. This deliberate blending tactic ensured individual victim transactions became indistinguishable before being routed onward through services designed to further frustrate traceability. *Id*.

Following this aggregation and dispersal, Plaintiff's funds, like those of other victims, were fragmented through conversion services and ultimately deposited in Defendant-controlled wallets at centralized cryptocurrency exchanges, Binance and OKX. Zarazinski Decl., ¶¶ 6–7.

In this case, Defendants consistently relied on the following four Pivot Wallets to consolidate victim deposits:

    0x49f8B7feEE8C0B85ff61F2d7c38Af809614515Df

    0x64E5f1a2480a3967EDD30b0b400Daf18422cE552

    0x26196D89281e89f910c187b992C47C90D8200283

    0x803BD7f6346127E0098d8a6f4aA3996410097aC1

Zarazinski Decl., ¶ 5.

After consolidating victim funds in Pivot Wallets, Defendants employed cryptocurrency conversion services — including SWFT.PRO and OKX DEX Aggregation — to convert stolen Ethereum (ETH) into USDT on the TRON blockchain. Zarazinski Decl., ¶¶ 5–6. This conversion

process fragmented the transaction path, severing the original Ethereum trail that linked victim deposits to Defendants' accounts. *Id*. By shifting funds to a separate blockchain network, this maneuver significantly complicated recovery efforts and masked the connection between victims' initial deposits and the endpoint destinations. *Id.*

After the conversion process, Defendants transferred the laundered funds through additional intermediary wallets before consolidating the stolen assets in known Deposit Wallets at Binance and OKX. Zarazinski Decl., ¶¶ 6–7. These Deposit Wallets serve as the final known destinations for stolen assets and were identified through Inca's comprehensive tracing analysis (herein, "Deposit Wallets"). Zarazinski Decl., ¶ 7. The presence of misappropriated funds in these wallets provided objective evidence that Defendants employed a structured laundering pattern designed to conceal victim deposits. *Id.*

As part of its forensic tracing investigation, Inca performed reverse tracing from the identified Binance and OKX Deposit Wallets and Pivot Wallets. This analysis tracked fund flows backward to identify originating sources of deposits — revealing that these sources were centralized exchange wallets controlled by additional victims. Zarazinski Decl., ¶ 8. Inca's reverse tracing confirmed that these originating accounts (referred to as "Victim Wallets" herein) belonged to approximately 325 class members whose assets were misappropriated through the same laundering scheme. *Id*.

In addition to moving victim funds through structured transactions, Defendants employed a calculated manipulation tactic designed to build victim trust and encourage additional deposits. Zarazinski Decl., ¶ 9. Defendants consistently used two specific wallets (referred to as "Staged Return Wallets" herein) to send small payments back to Victim Wallets that had previously transferred funds to Pivot Wallets at Defendants' direction. This tactic created the false impression that victims were earning legitimate returns — convincing them that the platform was reliable and encouraging larger deposits. *Id*.

The two wallets used to issue these staged returns were:

0xA86545f9DCDd98869536401A76759Fd1227aAf29

0xe0227298588541484E81c44f7C3D107e3C3aAEaf

Id.

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By fostering the belief that their accounts were secure and actively generating income, this manipulation tactic encouraged victims to send increasingly larger deposits. *Id*. This tactic was employed repeatedly across numerous victim transactions, reinforcing the broader pattern of calculated deception observed in Inca's forensic analysis. *Id*.

By tracing both the structured movement of victim deposits and the recurring pattern of staged return payments, Inca successfully identified 325 class members whose transactions reflected these same tracing markers. Zarazinski Decl., ¶ 10. These consistent transactional markers provided Inca with a reliable, data-driven method of identifying class members. *Id.* By analyzing these recurring markers across hundreds of transactions, Inca concluded that Defendants' coordinated tactics impacted Plaintiff and the proposed class in the same way. Zarazinski Decl., ¶ 14.

B. Procedural Background

On May 17, 2024, Plaintiff filed a verified complaint (the "Complaint") asserting claims for conversion and money had and received. Plaintiff thereafter promptly filed an *ex parte* application for a Temporary Restraining Order ("TRO") to freeze the particularized cryptocurrency assets identified by Inca, and listed in paragraph 22 of the Complaint, currently held in OKX and Binance wallets, in which Defendants stored the misappropriated funds from Plaintiff and the class. On June 26, 2024, the Court issued a TRO that froze these particular cryptocurrency wallets, along with an Order to Show Cause ("OSC") that directed Defendants to appear and contest the issuance of Preliminary Injunction.

Plaintiff provided Defendants notice through court-approved service methods, including delivery to their cryptocurrency wallets via special-purpose tokens with hyperlinks to a dedicated website containing the Complaint, summons, TRO, OSC, and supporting documents. No Defendant has appeared or contested this action.

On August 5, 2024, the Court held a hearing pursuant to its Order to Show Cause, which directed Defendants to appear and contest Plaintiff's request for a Preliminary Injunction. No Defendant appeared at the hearing, and the Court granted the requested relief, issuing a Preliminary Injunction to freeze the specific cryptocurrency assets identified in paragraph 22 of the Complaint held by Defendants in wallets at OKX and Binance. This injunction remains in place to prevent the dissipation of misappropriated funds and to safeguard the assets stolen from Plaintiff and other victims.

Plaintiff, with the assistance of tracing experts, continued to analyze blockchain transactions to identify additional victims whose assets were similarly misappropriated, and has now identified at least 325 other particularized victims of Defendants' scam whose converted assets are held in the specific cryptocurrency wallets identified in the Complaint and frozen by this Court.

IV.   THE COURT SHOULD GRANT CLASS CERTIFICATION

A.   Legal Standard

A class action may proceed "when the question is one of a common or general interest, of many persons, or when the parties are numerous, and it is impracticable to bring them all before the court." C.C.P. § 382. To satisfy this provision, a class action must meet three requirements: (1) an ascertainable and sufficiently numerous class; (2) a community of interest; and (3) substantial benefits to justify class action treatment over individual actions. *Brinker Rest. Corp. v. Superior Court* (2012) 53 Cal.4th 1004, 1021. The "community of interest" requirement in turn embodies three factors: (1) predominant common questions of law or fact; (2) typicality of claims or defenses; and (3) adequate representation of the class. *Richmond v. Dart Indus., Inc.* (1981) 29 Cal.3d 462, 470.

While California courts frequently refer to federal precedent in the absence of state guidance, California has not adopted Federal Rule of Civil Procedure 23, and trial courts are encouraged to apply "pragmatism and flexibility" in managing class actions.[1] Trial courts, with their unique insight into the facts, are therefore "afforded great discretion" in deciding whether to grant or deny certification. *Linder v. Thrifty Oil Co.* (2000) 23 Cal.4th 429, 435. The California Supreme Court has particularly encouraged trial courts to be "procedurally innovative" in managing class actions involving complex or novel claims. *Duran v. U.S. Bank National Ass'n* (2014) 59 Cal.4th 1, 33.

B.   The Proposed Class Meets California's Certification Requirements

1.   The Class Is Ascertainable and Sufficiently Numerous

The numerosity requirement "is indefinite and has been construed liberally," with no minimum number required to proceed as a class action. *Hendershott v. Ready to Roll Transportation, Inc.* (2014) 228 Cal.App.4th 1213, 1222. Courts have certified classes as small as ten when joinder of all members

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[1] *See Wershba v. Apple Computer, Inc.* (2001) 91 Cal.App.4th 224, 240 (disapproved on other grounds by *Hernandez v. Restoration Hardware, Inc.* (2018) 4 Cal.App.5th 260, 269–70).

is impracticable. *Bowles v. Superior* Court (1955) 4 Cal.2d 574, 587. The proposed class here includes approximately 325 victims of Defendants' scam, each of whom has assets traceable to the specific Deposit Wallets identified in Paragraph 22 of the Complaint. Zarazinski Decl., ¶ 10. These 325 victims easily satisfy the numerosity requirement.

The members of the class are also ascertainable. "It is firmly established a plaintiff is not required at this stage of the proceedings to establish the identity of class members." *Nicodemus v. St. Francis Hospital* (2016) 3 Cal.App.5ths 1200, 1217. A class is sufficiently ascertainable when it is defined by objective characteristics and transactional facts that enable practical identification of its members. *Noel v. Thrifty Payless, Inc.* (2019) 7 Cal.5th 955, 980.

Inca's forensic analysis began with Plaintiff's verifiable transaction data. Forward tracing followed Plaintiff's cryptocurrency transfers, starting with the specific wallet addresses Defendants first instructed him to use when depositing funds under the false belief he was funding a legitimate platform account. Zarazinski Decl., ¶¶ 4-5. From the wallets where his funds were first directed, Plaintiff's stolen assets were tracked through Defendants' calculated laundering process—a structured network of transactions that ultimately reached specific, identified Deposit Wallets under Defendant's control at Binance and OKX. Zarazinski Decl., ¶¶ 6-7.

Reverse tracing then tracked inflows into those Deposit Wallets, confirming that additional funds followed the same structured movement pattern, ultimately leading back to originating Victim Wallets. Zarazinski Decl., ¶ 8. These Victim Wallets—held on these two centralized exchanges—represent the accounts of identifiable class members whose cryptocurrency was misappropriated as part of the same scheme. *Id.* This structured movement pattern—repeatedly observed across hundreds of victim transactions—is an objective, data-driven indicator that each victim was defrauded through the same coordinated scheme. *Id.* This forensic evidence confirms that class membership can be reliably determined through immutable blockchain data, satisfying the ascertainability requirement. Zarazinski Decl., ¶ 11.

Specifically, the tracing analysis confirmed that all victim funds were initially directed into one or more of four designated wallets — referred to as "Pivot Wallets" because they operated as key control points where victim deposits were deliberately aggregated before Defendants "pivoted" stolen

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funds outward through multiple onward transactions. Zarazinski Decl., ¶ 5. This calculated tactic—a deliberate laundering method —broke clean transaction links and attempted to obscure the original sources of the misappropriated funds. *Id*. Defendants specifically and consistently used four Pivot Wallets to receive victims' funds:

0x49f8B7feEE8C0B85ff61F2d7c38Af809614515Df

0x64E5f1a2480a3967EDD30b0b400Daf18422cE552

0x26196D89281e89f910c187b992C47C90D8200283

0x803BD7f6346127E0098d8a6f4aA3996410097aC1

Id.

In addition to directing victim funds into Pivot Wallets and thereafter controlling the structured flow of victim funds—strategically redistributing those funds through additional transactions, and ultimately funneling the stolen assets into Deposit Wallets—Defendants also employed a calculated deception tactic designed to build victim confidence and encourage additional deposits. Zarazinski Decl., ¶ 9. Defendants used two specific wallet addresses to issue small, staged return payments— falsely presented as platform "earnings" that created the illusion of legitimate returns. *Id.* These two wallets. referred to herein as Staged Return Wallets, include:

0xA86545f9DCDd98869536401A76759Fd1227aAf29

0xe0227298588541484E81c44f7C3D107e3C3aAEaf

Id. By consistently relying on these two specific wallets to send "staged returns" to Victim Wallets, Defendants reinforced the illusion that victims were accumulating legitimate earnings, thereby encouraging larger deposits and deepening the victims' financial losses. *Id.*

Moreover, the consistent use of these two wallets provided Inca with an additional objective data point for identifying class members. The recurring pattern of staged returns, combined with the structured flow of funds into Pivot Wallets and the convergence of stolen assets in Binance and OKX Deposit Wallets, allowed Inca analysts to reliably identify the 325 Victim Wallets that make up the proposed class. Zarazinski Decl., ¶ 10. These two data points—Pivot Wallet inflows and Staged Return Wallet outflows—were both distinct and consistent across victim transactions, providing an objective basis for identifying class members. Zarazinski Decl., ¶ 10.

Inca's forensic tracing analysis confirmed that the 325 identified class members were reliably identified by observing these consistent transactional markers: (a) funds originating from Victim Wallets were deposited into one of four designated Pivot Wallets; and (b) those same Victim Wallets received staged return payments from at least one of the two identified Staged Return Wallets. *Id.* By reverse-tracing cryptocurrency inflows into identified Deposit Wallets and Pivot Wallets, and analyzing these two consistent data points in combination, Inca reliably identified 325 Victim Wallets as the originating points for misappropriated assets. Zarazinski Decl., ¶ 10. These Victim Wallets, held on centralized exchanges, represent the identifiable class members whose assets were similarly misappropriated. *Id.*

Class membership is sufficiently ascertainable because it is based on public blockchain records documenting specific transactions into specifically identified Defendant-controlled Pivot Wallets and the Deposit Wallets at Binance and OKX. *Id.* In cryptocurrency cases, courts have routinely held that blockchain transaction records — due to their public and immutable nature — provide a sufficiently objective method to identify class members. See, e.g., *Balestra v. Cloud With Me, Ltd.* (W.D. Pa. July 2, 2020), Civil Action No. 2:18-cv-00804, 2020 WL 4370392, *5; *Audet v. Fraser* (D. Conn. 2019) 332 F.R.D. 53, 72. The same is true here. Blockchain tracing confirms that victim transactions consistently followed the same structured movement pattern, providing an objective method for identifying class members based on transactional data. Zarazinski Decl., ¶ 11. Class members are sufficiently ascertainable.

2. The Class Shares a Community of Interest

(a) Common Questions Predominate

Significant common questions of law and fact are central to this case. Defendants executed a structured scheme that directed victims to deposit cryptocurrency into wallets under their control. Zarazinski Decl., ¶ 5. Inca's forensic tracing analysis confirms that funds from class members, including Plaintiff Younes, followed a consistent movement pattern. Each victim's funds were directed into one or more of four designated Pivot Wallets — addresses Defendants routinely used to consolidate victim deposits. *Id.* These four Pivot Wallets include:

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0x49f8B7feEE8C0B85ff61F2d7c38Af809614515Df

0x64E5f1a2480a3967EDD30b0b400Daf18422cE552

0x26196D89281e89f910c187b992C47C90D8200283

0x803BD7f6346127E0098d8a6f4aA3996410097aC1

Id.

From these Pivot Wallets, Defendants deliberately routed stolen assets through cryptocurrency conversion services such as SWFT.PRO and OKX DEX Aggregation, exchanging Ethereum (ETH) for USDT on the TRON blockchain to sever transaction links between Victim Wallets and their Deposit Wallets. This calculated maneuver shifted assets to a separate blockchain network, further attempting to obscure the true origin of misappropriated funds. Zarazinski Decl., ¶ 6.

Following this conversion process, Defendants transferred the laundered funds through additional intermediary wallets before consolidating them in the known Deposit Wallets at Binance and OKX identified in Paragraph 22 of the Complaint. Zarazinski Decl., ¶ 7. These Deposit Wallets represent the final known destinations of victims' misappropriated assets. *Id.*

This structured movement pattern—consistently observed across hundreds of victim transactions—reflects Defendants' deliberate use of layering tactics to conceal stolen funds. Zarazinski Decl., ¶ 14. Each victim's assets passed through the same sequence of controlled wallets, confirming a coordinated scheme that impacted all class members similarly. *Id*.

In addition to asset movement, Defendants reinforced their scheme by issuing staged return payments from two scam-controlled wallets—referred to as "Staged Return Wallets"—that were falsely presented as platform "earnings." Zarazinski Decl., ¶ 9. This tactic encouraged additional victim deposits and was repeatedly observed across class member transactions, demonstrating that Defendants' manipulation tactics were calculated, uniform, and consistently applied. *Id.*

The predominance inquiry asks whether "the issues which may be jointly tried, when compared with those requiring separate adjudication, are so numerous or substantial that the maintenance of a class action would be advantageous to the judicial process and to the litigants." *Brinker Rest. Corp. v. Superior Court* (2012) 53 Cal.4th 1004, 1022. The fact that each class member may perhaps be required to establish eligibility and damages individually does not preclude a finding of predominance.

Rather, the court considers whether a class-wide proceeding would more efficiently resolve the core issues. *Brinker*, 53 Cal.4th at 1021-22; *Reyes v. San Diego County Bd. of Supervisors* (1987) 196 Cal.App.3d 1263, 1278.

This case presents common factual and legal questions that arise from Defendants' scheme. Defendants instructed class members that transferring funds to them was necessary to "unlock" funds that they had earned. Core common questions include:

i.) Whether Defendants misrepresented the legitimacy of the online platform and the requirement of additional deposits to access earnings;

ii.) Whether Defendants engaged in a coordinated scheme to defraud class members of their assets;

iii.) Whether Defendants used specific pivot and endpoint wallets to route and conceal stolen funds;

iv.) Whether Defendants' actions caused economic harm to the class members; and

v.) The extent to which Plaintiff and class members are entitled to damages.

Courts have long recognized that where claims stem from a common course of conduct involving standardized misrepresentations, common issues predominate. *Sav-On Drug Stores, Inc. v. Superior Court* (2004) 34 Cal.4th 319, 331; *Occidental Land, Inc. v. Superior Court* (1976) 18 Cal.3d 355, 362. Here, Inca's forensic tracing analysis conclusively establishes that Defendants' scheme followed a coordinated pattern that impacted all 325 class members in the same way. Zarazinski Decl., ¶ 14. Each victim's claims rest on the same fraudulent scheme.

While class members may have suffered different levels of financial loss, "[a]s a general rule if the defendant's liability can be determined by facts common to all members of the class, a class will be certified even if the members must individually prove their damages." *Brinker Rest. Corp. v. Superior Court* (2012) 53 Cal.4th 1004, 1022; *Occidental*, 18 Cal.3d at 363-64. Here, publicly verifiable blockchain data provides an objective and reliable method for identifying class members and quantifying their losses. Zarazinski Decl., ¶ 11.

Defendants' scheme followed a structured, uniform methodology that impacted all victims similarly. Each victim's funds followed the same movement pattern, each victim was subjected to the same staged return tactic, and Defendants funneled all victim deposits through the same network of controlled wallets. Zarazinski Decl., ¶ 14. Inca's forensic analysis conclusively traces this pattern with

precision. Each victim's assets were tracked from originating Victim Wallets to Pivot Wallets, through intermediary addresses, and ultimately into Deposit Wallets at Binance and OKX. Zarazinski Decl., ¶¶ 5–7. This repeatable transaction pattern confirms Defendants employed a coordinated scheme that moved stolen assets in a deliberate, traceable sequence. Zarazinski Decl., ¶ 14.

Every victim was affected by the same process. Each victim's losses stemmed from Defendants' calculated use of deception, asset layering, and deliberate obfuscation tactics. Zarazinski Decl., ¶ 14. Blockchain evidence conclusively links every class member's stolen assets to the same defendant-controlled wallets, demonstrating that Defendants' structured scheme uniformly impacted all victims. Zarazinski Decl., ¶ 11.

(b)   The Class Representative's Claims Are Typical

Plaintiff Younes' experience exemplifies the shared experience of the class. Zarazinski Decl., ¶ 14. The typicality requirement ensures alignment between the class representative's interests and those of the class. Typicality is met if "other members have the same or similar injury, the action is based on conduct that is not unique to the named plaintiffs, and other class members have been injured by the same course of conduct." *Martinez v. Joe's Crab Shack Holdings, LLC* (2014) 231 Cal.App.4th 362, 375. It is sufficient that the representative's claims arise from the same legal theories and factual circumstances affecting the class as a whole. *Classen v. Weller* (1983) 145 Cal.App.3d 27, 46.

Inca's forensic tracing analysis revealed a calculated laundering process that consistently funneled victim funds through designated Pivot Wallets before fragmenting the transaction path via conversion services and ultimately consolidating stolen assets in Defendants' Deposit Wallets on exchanges. Zarazinski Decl., ¶¶ 5–7. Plaintiff's assets followed this same movement pattern, confirming that his losses stemmed from the same structured scheme that impacted the entire class. Zarazinski Decl., ¶¶ 4–6.

Like other victims, Plaintiff was misled by Defendants' false promises, encouraged to continue depositing funds by staged returns, and ultimately suffered financial loss when his funds were stolen, converted, and deposited into controlled Deposit Wallets. *Id.* Defendants' reliance on staged returns —small payments designed to mimic platform "earnings"—consistently reinforced the illusion of legitimate returns across victim accounts, including Plaintiff's. Zarazinski Decl., ¶ 9.

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This deliberate combination of deception tactics and calculated fund movement confirms that Plaintiff's experience was not only typical of class members, but reflects a deliberate scheme that consistently targeted victims using identical methods. Zarazinski Decl., ¶¶ 4–6.

Courts have consistently recognized that the typicality requirement is satisfied where the plaintiff's claims arise from the same course of conduct that gave rise to the claims of other class members and are based on the same legal theory. *Richmond v. Dart Indus., Inc.* (1981) 29 Cal.3d 462, 470. Here, the fake nature of the online platform, the structured movement pattern of the stolen assets, and the resulting financial harm align Plaintiff directly with the experiences of the proposed class. This uniform pattern confirms that Plaintiff's claims are not only typical but pivotal in establishing the shared experience that defines the class.

(c)   Plaintiff and His Counsel Will Adequately Represent the Class

The adequacy requirement ensures that both the class representative and counsel can effectively and faithfully represent the class without conflicts of interest. *J.P. Morgan & Co., Inc. v. Superior Court* (2003) 113 Cal.App.4th 195, 212. Adequacy is established when the representative plaintiff is (1) represented by qualified counsel, and (2) has interests aligned with the class. *McGhee v. Bank of America* (1976) 60 Cal.App.3d 442, 450.

Here, Plaintiff Younes' interests are fully aligned with those of the Class. Both Plaintiff and the proposed class members share the common objective of establishing Defendants' liability and recovering their misappropriated assets. Because Plaintiff's claims arise from the same fraudulent conduct that harmed all class members, pursuing his own claims will necessarily advance the interests of the entire class. Each class member was harmed by the same pig butchering scheme, in which Defendants directed victims to deposit cryptocurrency into specific wallets they controlled before funneling and stealing those assets through a structured laundering process. Zarazinski Decl., ¶ 14.

Plaintiff has actively participated in this litigation, including consulting with counsel, providing detailed evidence of his losses, and remaining engaged in court proceedings to advance the interests of the class. Younes Decl., ¶ 7. His dedication to pursuing collective recovery underscores his commitment to serving as a diligent and effective class representative. He stands ready to fulfill all representative responsibilities and to seek relief on behalf of the entire class. *Id*. ¶ 8. Plaintiff's

counsel brings extensive experience in class action litigation and cryptocurrency matters, with the resources and dedication to represent the class on a fully contingent basis. Declaration of Shaun P. Martin dated April 3, 2025, ¶¶ 2–4; Declaration of Nicole Malick dated April 3, 2025, ¶¶ 2–3. Given the alignment of the interests of Plaintiff and the class and the expertise of his counsel, Plaintiff and his counsel amply satisfy the adequacy requirement.

3. A Class Action Is Superior to Any Alternative

"This state has a public policy which encourages the use of the class action device." *Sav-On Drug Stores, Inc. v. Superior Court* (2004) 34 Cal.4th 319. Under California Code of Civil Procedure § 382, a class action is the preferred method for adjudicating claims when it provides substantial benefits to the parties, the class, the public, and the court. *Reyes v. San Diego County Bd. of Supervisors* (1987) 196 Cal.App.3d 1263, 1271. Courts consider factors such as individual control over litigation, the difficulties of managing a class action, and the risk of duplicative lawsuits. *Maarten v. Cohanzad* (2023) 95 Cal.App.5th 596, 627-28.

Class certification is the only practical and effective means of resolving the current claims and returning the stolen funds to the many defrauded victims of Defendants' scam. Cryptocurrency laundering schemes are specifically designed to obscure individual victim losses, and without forensic tracing resources, victims face insurmountable obstacles in identifying, tracing, and recovering their stolen assets. Zarazinski Decl., ¶ 12. The victims of Defendants' scheme are geographically dispersed and lack the technical expertise to conduct independent tracing or asset recovery. *Id.* Identifying and tracing Defendants' cryptocurrency transactions requires specialized forensic analysis, and class members generally do not have the expertise or access to broader tracing data necessary to link their losses to the larger scheme, much less the funds necessary to engage in this process. *Id.*

Without certification, class members face overwhelming obstacles in recovering their funds. Individual efforts would be impractical, inefficient, and unlikely to succeed given the complexity of Defendants' laundering tactics. Further, the frozen cryptocurrency assets at OKX and Binance are only protected under existing court orders—if these assets are released, Defendants will likely dissipate them beyond recovery. Zarazinski Decl., ¶ 12. The best chance of restitution is through collective action.

Moreover, individual lawsuits would be impractical and inefficient, creating a multiplicity of duplicative actions. *Daar v. Yellow Cab Co.* (1967) 67 Cal.2d 695, 713 (recognizing the need to avoid "a multiplicity of legal actions dealing with identical basic issues" and that class actions prevent "unjust advantage to the wrongdoer"). This is precisely the type of inefficiency that class actions properly aim to prevent. *Vasquez v. Superior Court* (1971) 4 Cal.3d 800, 810 (noting that class actions effectively prevent wrongdoers from benefiting at victims' expense). Zarazinski Decl., ¶ 8. Class treatment is therefore not only superior but necessary to ensure fair and efficient redress for all victims.

The class is manageable because its membership can be identified based on objective blockchain records. Zarazinski Decl., ¶¶ 10-11. Publicly available blockchain data, analyzed by Plaintiff's experts through reverse-tracing, identified originating wallets and transaction hashes associated with misappropriated funds that were ultimately routed into specific Deposit Wallets at OKX and Binance, which pinpoints class members who were victimized by Defendants' scheme. Zarazinski Decl., ¶ 8. Given the complexity of Defendants' calculated laundering tactics and the frozen assets held at Binance and OKX, class certification offers the only realistic path to recovery for hundreds of victims who would otherwise face insurmountable challenges in tracing their stolen funds.

V. CLASS NOTIFICATION PROCESS

Plaintiff's notification plan combines forensic tracing analysis with targeted outreach to ensure that affected individuals are identified with precision. Plaintiff, with support from Inca Digital, will collaborate with cryptocurrency exchanges that maintain Know-Your-Customer (KYC) data for account holders linked to the identified Victim Wallets. Zarazinski Decl., ¶ 13. These exchanges will receive precise transaction data, including originating Victim Wallet addresses and associated transaction hashes, to identify affected account holders efficiently. *Id*.

Where exchange-facilitated notice is not feasible, Plaintiff's counsel and Inca will employ alternative outreach strategies, including targeted on-chain notifications such as token dropping. *Id*. This method ensures direct notice to affected Victim Wallets. This approach—informed by forensic tracing data, KYC records, and direct outreach strategies—offers a practical, reliable, and effective method for ensuring class members are properly notified.

VI. **CONCLUSION**

For the foregoing reasons, Plaintiff respectfully requests that the Court grant this motion for class certification and issue an order (1) certifying the proposed class as defined in this motion; (2) appointing Plaintiff as Class Representative; and (3) appointing Plaintiff's counsel as Class Counsel.

Class certification is necessary to facilitate recovery for the identified victims whose assets were traced to Deposit Wallets at Binance and OKX — the final known consolidation points for victim funds, and in which the assets remain frozen pursuant to this Court's Preliminary Injunction Order. Certification will ensure those assets are returned through an organized and effective process, and is the only practical and reliable path to securing restitution for the 325 victims of Defendants' scam.

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MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
PLAINTIFF'S MOTION FOR CLASS CERTIFICATION