

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GREGORY GREENE and JOSEPH LACK,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

MTGOX INC., a Delaware corporation, MT.
GOX KK, a Japanese corporation, TIBANNE
KK, a Japanese corporation, MT. GOX
NORTH AMERICA, INC., a New York
corporation, MIZUHO BANK, LTD., a
Japanese financial institution, MARK
KARPELES, an individual, GONZAGUE
GAY-BOUCHERY, an individual, JED
MCCALEB, an individual, and JOHN DOE
DEFENDANTS,

Defendants.

Case No. 1:14-cv-01437

Hon. Gary Feinerman

Magistrate Judge Susan Cox

STATUS REPORT REGARDING SALE OF .COM DOMAIN NAMES

1. On July 8, 2014, this Court held a status hearing related to Plaintiffs' pending motion for approval of class action settlement. (Dkt. 107.)
2. During the status hearing, counsel for Plaintiffs advised the Court that the Parties were engaged in discussions related to the announced auctioning and sale of certain .com domain name assets by Tibanne KK or Mr. Karpeles.
3. Following the status hearing, Tibanne's counsel and counsel for Plaintiffs continued to specifically discuss their respective positions as to whether a United States court had the authority to enjoin the sale of the .com domain names.

4. During these discussions, a court in the Western District of Washington presiding over litigation brought by Coinlab, Inc.—one of Mt. Gox’s former business partners—against Mt. Gox KK, Tibanne KK, and others (*see Coinlab v. Mt Gox KK et al.*, Case No. C-13-777 (W.D. Wash) (Pechman, J. presiding) (the “Coinlab Proceedings”)), granted Coinlab’s Motion for Relief From Stay and Temporary Restraining Order (*see* “Coinlab Motion for TRO,” attached hereto as Exhibit A)¹ prohibiting the sale or auctioning of any .com domain names for a period of 14 days.

5. The TRO in the Coinlab Proceedings presently expires on August 5, 2014. (*See* TRO, attached hereto as Exhibit B.)

6. The TRO in the Coinlab Proceedings has temporarily halted the auctioning and sale of the domain name www.bitcoins.com, which was reportedly going to be auctioned by Tibanne on July 24, 2014 with a reserve price of \$750,000.² (*See* TRO, Exhibit B.)

7. Plaintiffs maintain that the sale of any .com domain name would violate this Court’s April 8, 2014 Order enjoining Defendants from disposing of their any assets located in the United States. (Dkt. 71.) Plaintiffs maintain that that .com domain names held by Tibanne K.K. or Karpeles personally are assets located in the United States covered by that Order.

8. Plaintiffs intend to monitor the Coinlab Proceedings to determine what action, if any, needs to be taken before either that court or in this Court and will provide updates to this Court in the event that the TRO is extended in the Coinlab Proceedings or to the extent warranted by the surfacing or changing of other relevant facts or circumstances.

¹ As indicated in Coinlab’s Motion for TRO, Tibanne owns over 450 domain names.

² *See* E. Calouro “U.S. District Court Ruling May Derail ‘Bitcoins.com’ Auction” Newsbtc, available at URL <http://newsbtc.com/2014/07/23/u-s-district-court-ruling-may-derail-bitcoinscom-auction/> (last visited July 29, 2014).

9. Plaintiffs' counsel reached out to counsel for Defendants Tibanne K.K. and Mark Karpeles to determine whether a joint status report could be filed. As reflected in the attached email exchange, Defendants' counsel indicated that it did not agree to the filing of a joint status report. (See "Emails of Counsel," true and accurate copies of which are attached hereto as Exhibit C.)

Respectfully submitted,

GREGORY GREENE and JOSEPH LACK,
individually, and on behalf of a class of similarly
situated individuals,

Dated: August 4, 2014

By: /s/Steven L. Woodrow
One of Plaintiffs' Attorneys

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CERTIFICATE OF SERVICE

I, Steven L. Woodrow, an attorney, hereby certify that I served the above and foregoing ***Status Report Regarding Sale of .com Domain Names***, by causing true and accurate copies of such paper to be transmitted to all counsel of record via the Court's CM/ECF electronic filing system on August 4, 2014.

s/ Steven L. Woodrow

Steven L. Woodrow