

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

<p>DENIS MARC AUDET, MICHAEL PFEIFFER, DEAN ALLEN SHINNERS, and JASON VARGAS, Individually and on Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>HOMERO JOSHUA GARZA, STUART A. FRASER, GAW MINERS, LLC, and ZENMINER, LLC, (d/b/a ZEN CLOUD),</p> <p style="text-align: center;">Defendants.</p>	<p>Case 3:16-cv-00940</p> <p>ECF Case</p> <p><u>CLASS ACTION</u></p> <p><b>MOTION BY DENIS MARC AUDET, MICHAEL PFEIFFER, DEAN ALLEN SHINNERS, AND JASON VARGAS FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF MOVANT’S SELECTION OF COUNSEL</b></p> <p><u>DEMAND FOR JURY TRIAL</u></p>
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Plaintiffs Denis Marc Audet, Michael Pfeiffer, Dean Allen Shinners, and Jason Vargas (the “Audet Group”) hereby jointly move this Court: (i) for their appointment to serve as Lead Plaintiff in this securities fraud class action under Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995, and (ii) for the approval of their choice of Marc M. Seltzer of Susman Godfrey L.L.P. as counsel for the Lead Plaintiff and the Class. This Motion is based upon the Audet Group’s Memorandum of Law and the Declaration of Matthew B. Allen submitted herewith and is made on the following grounds:

1. The Audet Group is believed to be the investor with the largest financial interest in the outcome of the case who is moving for appointment as Lead Plaintiff, having collectively lost an estimated \$108,274.45 as a result of defendants’ alleged false and misleading statements.

2. The Audet Group satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure in that its members' claims are typical of the claims of the Class, and it will fairly and adequately represent the interests of the Class.

3. The Audet Group has selected as its counsel Marc Seltzer of Susman Godfrey L.L.P., who possesses extensive experience in the area of securities litigation and has successfully prosecuted numerous securities fraud class actions.

WHEREFORE, Plaintiffs respectfully request that the Court grant the Motion. For the Court's convenience, a Proposed Order is provided herewith.

DATED: September 6, 2016.

Respectfully submitted,

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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 6, 2016 a copy of foregoing Motion was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Mark P. Kindall