

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

DENIS MARC AUDET, *et al.*,

Plaintiffs,

v.

HOMERO JOSHUA GARZA, *et al.*,

Defendants.

Case No. 3:16-CV-00940-MPS

September 27, 2016

**DECLARATION OF SARAH L. CAVE IN SUPPORT OF DEFENDANT
STUART A. FRASER'S MOTION TO DISMISS THE COMPLAINT**

I, Sarah L. Cave, declare as follows:

1. I am an attorney duly admitted to practice in this Court and am a partner with the firm of Hughes Hubbard & Reed LLP, attorneys for Stuart A. Fraser ("Fraser") in this action.

2. I submit this declaration in support of Fraser's motion to dismiss the Complaint for failure to state a claim (the "Motion"). The purpose of this Declaration is to put before the Court certain documents that are cited in the accompanying memorandum of law in support of Fraser's Motion.

3. Annexed hereto as Exhibit A is a true and correct copy of an August 3, 2016 article by Olga Kharif entitled "Bitcoin and the Blockchain," which appeared in *Bloomberg Quick Take*.

4. Annexed hereto as Exhibit B is a true and correct copy of Securities and Exchange Commission (“SEC”) Release No. 2015-271 dated December 1, 2015 and titled “SEC Charges Bitcoin Mining Companies.”

5. Annexed hereto as Exhibit C is a true and correct copy of the complaint in *SEC v. Homero Joshua Garza, GAW Miners, LLC, and ZenMiner, LLC (d/b/a Zen Cloud)*, 3:15-cv-01760-JAM (D. Conn. 2015).

6. Annexed hereto as Exhibit D is a true and correct copy of a November 25, 2014 article by Michael J. Casey entitled “BitBeat: GAW Miners to Launch Bitcoin Challenger, Paycoin,” which appeared in the *Wall Street Journal*.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 27, 2016
New York, New York

/s/ Sarah L. Cave
Sarah L. Cave (phv08437)