

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

DENIS MARC AUDET, MICHAEL PFEIFFER, and DEAN ALLEN SHINNERS, Individually and on Behalf of All Others Similarly Situated, Plaintiffs, vs. STUART A. FRASER, GAW MINERS, LLC, and ZENMINER, LLC, (d/b/a ZEN CLOUD), Defendants.	Case 3:16-cv-00940 Hon. Michael P. Shea Courtroom 2 ECF Case <u>CLASS ACTION</u> May 3, 2019 JOINT DECLARATION RE: RANDOM SAMPLING OF DOCUMENTS COLLECTED BY PLAINTIFF DEAN ALLEN SHINNERS
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Colin Watterson and Sarah Cave declare as follows:

1. Mr. Watterson is an attorney licensed to practice law in the State of Texas and an attorney of record for plaintiffs in this case. Ms. Cave is an attorney licensed to practice law in the State of New York and an attorney of record for Defendant Stuart A. Fraser in this case. Mr. Watterson and Ms. Cave are admitted *pro hac vice* in this action.

2. Mr. Watterson and Ms. Cave are providing this joint declaration pursuant to the Court's April 12, 2019 order (Dkt. 135). The Court ordered the parties to submit:

(1) a sample of documents from 20 members of the putative class; and (2) briefs regarding these documents with the Court by May 3, 2019. The parties shall confer to determine a method of selecting the 20 members at random. Each party shall select up to 10 pages from each of the 20 members to file with the Court. These documents shall be accompanied by a joint declaration from counsel, not to exceed 4 pages, that explains the (1) method used to select the 20 individuals; and (2) the nature of the documents submitted.

3. The parties used the following methodology to select the 20 individuals. First, Mr. Watterson prepared a list of names of the 173 individuals from whom Plaintiff Dean Allen

Shinners collected documents. The names were arranged in alphabetical order by their first names. Each individual was assigned a number based on the order in which his or her name appeared, *i.e.*, the first name that appeared on the list was assigned the number “1,” the second name was assigned the number “2,” and so on.

4. The parties then used the website Random.org to select a random set of individuals from the list. The parties performed the random draw jointly through a Webex on April 24, 2019. The following individuals were selected: Alex Lukashevich, Alfonso Hernandez, Arthur James, Belinda Jane Elizabeth Burrows, Christian L Bills, Christopher Alan Crane, Daniel Olavi Mondesire, Jack Gentry Saunders, Jamie Alfonso Martin, Jonas Per Lars Berqvist, Kellen Jalbert, Martin Horton Alexander, Michael Viklund, Paul Heath, Paul William Lindgren, Robert Alan Hoppenfeld, Simon Peter Black, Slaven Sabolovic, Tezontl Rosario, and Wim Berkhof.

5. After selection was complete, Mr. Watterson provided Ms. Cave with a chart identifying the documents provided by these individuals by Bates number.

6. The documents provided by these individuals and produced by the Plaintiffs in this action include, but are not limited to, the following: confirmation emails for the purchase of GAW Miners products, credit card statements, bank statements, and other financial records reflecting payments to GAW Miners and other entities, information about individuals’ Paycoin or Bitcoin wallets (*i.e.*, the digital wallets used to transfer Bitcoin and Paycoin to and from GAW Miners), email receipts confirming purchase of Bitcoin on outside exchanges, emails reflecting transfers of Bitcoin from outside exchanges to GAW Miners, and spreadsheets containing information from ZenCloud. A few individuals also created and uploaded ledgers reflecting calculations of their losses.

We declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of our knowledge, information, and belief.

Dated: May 3, 2019

<u><i>Colin Watterson</i></u> Colin Watterson At Houston, Texas	<u><i>Sarah Cave</i></u> Sarah Cave At New York, New York
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