

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

KYLE ALEXANDER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 2:14-cv-02159-KHV-JPO
)	
BF LABS, INC.,)	
)	
Defendant.)	

NOTICE OF APPOINTMENT OF TEMPORARY RECEIVER AND MOTION TO STAY

COMES NOW Eric L. Johnson, temporary receiver for Defendant BF Labs Inc., and notifies the Court of his appointment as temporary receiver and moves for a stay of this action. On September 18, 2014, in the matter styled Federal Trade Commission v. BF Labs Inc., et al., Case No. 4:14-cv-00815-BCW (the “Receivership Case”), the United States District Court for the Western District of Missouri appointed Eric L. Johnson (the “Temporary Receiver”) as the Temporary Receiver for BF Labs Inc. (“Receivership Entity”) and entered a temporary restraining order pursuant to an Ex Parte Order (the “Appointment Order”). A true and correct copy of the Appointment Order, excluding voluminous exhibits, is attached hereto as **Exhibit 1**. On September 29, 2014, the Western District of Missouri extended the temporary restraining order until October 2, 2014. Receivership Case, Doc. 47, **Exhibit 2** hereto. On October 3, 2014, the Western District of Missouri entered a Stipulated Interim Order. Receivership Case, Doc. 54, **Exhibit 3** hereto.

Section XVII of the Stipulated Interim Order stayed all persons from taking any action to establish or enforce any claim, right, or interest against the Receivership Entity, including the continued prosecution of any suit against the Receivership Entity. Exh. 3 at 26. The pending action against the Receivership Entity in this Court, Kyle Alexander et al. v. BF Labs Inc., is



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covered by the court-ordered stay. The District of Kansas should enforce the stay ordered by the Western District of Missouri under principles of judicial economy and comity.

WHEREFORE Temporary Receiver moves that this Court enter a stay of this action until the Western District of Missouri lifts the stay imposed in the Receivership Case, and for such other and further relief the Court deems just and necessary.

Respectfully submitted,

SPENCER FANE BRITT & BROWNE LLP

/s/ Kersten L. Holzhueter

Bryant T. Lamer KS #22722

Kersten L. Holzhueter KS #24885

Stephanie Lovett-Bowman KS #24842

1000 Walnut Street, Suite 1400

Kansas City, MO 64106

Telephone: (816) 474-8100

Facsimile: (816) 474-3216

blamer@spencerfane.com

kholzhueter@spencerfane.com

slovettbowman@spencerfane.com

Attorneys for Temporary Receiver Eric L.
Johnson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of October 2014, a true and correct copy of the foregoing was filed electronically with the United States District Court for the District of Kansas using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/ Kersten L. Holzhueter

Attorney for Temporary Receiver Eric L.
Johnson