

STEPHEN H. SOKOLOWSKI  
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State College, PA 16803  
Telephone: 814-600-9800  
Email: [steve@shoemakervillage.org](mailto:steve@shoemakervillage.org)  
*Pro Se Defendant*

CHRISTOPHER H. SOKOLOWSKI  
3178 Carnegie Dr  
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*Pro Se Defendant*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:  
Genesis Global Holdco, LLC, et al.,

Case No. 23-10063 (SHL)

Debtors<sup>1</sup>  
DIGITAL CURRENCY GROUP, INC.,

Plaintiff,

v.

STEPHEN H. SOKOLOWSKI,  
CHRISTOPHER H. SOKOLOWSKI,  
GENESIS GLOBAL HOLDCO, LLC,  
GENESIS GLOBAL CAPITAL, LLC, AND  
GENESIS ASIA PACIFIC PTE. LTD.

Adversary Proceeding No.  
25-01111 (SHL)

Defendants.

**DECLARATIONS OF STEPHEN H. SOKOLOWSKI  
AND CHRISTOPHER H. SOKOLOWSKI  
IN OPPOSITION TO DEBTORS' MOTION TO DISMISS THE COUNTERCLAIM**

<sup>1</sup> The Wind-Down Debtors in these cases, along with the last four digits of each Wind-Down Debtor's registration number in the applicable jurisdiction, are as follows: Genesis Global Holdco, LLC (8219), Genesis Global Capital, LLC (8564), and Genesis Asia Pacific Pte. Ltd. (2164R)

We, Stephen H. Sokolowski and Christopher H. Sokolowski, being duly sworn, state as follows:

1. We are adult residents of Pennsylvania.
2. We submit this declaration in support of the *Counterclaim Plaintiffs' Memorandum of Law in Opposition to Debtors' Motion to Dismiss the Counterclaim* (Oct. 9, 2025).
3. A true and correct copy of the email conversation among counsel of the Debtors, counsel of DCG, the Sokolowskis, and Judge Lane's chambers occurring Aug. 25-Sep 4, 2025 is attached as Exhibit B.
4. True and correct copies of the subpoenas served by the Debtors upon Stephen Sokolowski, Christopher Sokolowski, Jefferies Leveraged Credit Products, LLC, and Matthew Aronsky are attached as Exhibits C-F, respectively.
5. A true and correct copy of the email sent by counsel of Jefferies Leveraged Credit Products LLC in response to subpoenas is attached as Exhibit G.
6. In our July 28, 2025 meeting with Vijay Boyapati, Mr. Boyapati started by issuing congratulations over becoming “legendary” among the creditor body for AI usage and asking if the Sokolowskis had seen the Debtors’ Del. complaint. The second substantive comment involved Mr. Boyapati questioning the Sokolowskis and stating that he “thought you had assigned” the claims.
7. Later during the July 28 meeting, Mr. Boyapati stated “Judge Lane is going to enjoin your cases.”
8. Statements 6 and 7 are backed by contemporaneous notes written ten minutes after the meeting at issue, and are available to the court for *in camera* review upon request.

I, Stephen H. Sokolowski, being duly sworn, state as follows:

9. A true and correct copy of the email I sent to the Debtors' counsel requesting information about the witness is attached as Exhibit H.
10. Between Sep. 9-11, 2025, I communicated with representatives of Jefferies Leveraged Credit Products, LLC by phone, E-Mail, and Zoom videoconference, and Jefferies never asserted ownership of the UTPCPL claim at any time, even when asked for an official position in writing. I am willing to provide that written correspondence from Jefferies to the court for *in camera* review upon request.

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

Date: Oct. 9, 2025

State College, Pa.

/s/ Stephen H. Sokolowski

Stephen H. Sokolowski

/s/ Christopher H. Sokolowski

Christopher H. Sokolowski

# Exhibit A

STEPHEN H. SOKOLOWSKI  
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*Pro Se Defendant*

CHRISTOPHER H. SOKOLOWSKI  
3178 Carnegie Dr  
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*Pro Se Defendant*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:  
Genesis Global Holdco, LLC, et al.,  
  
\_\_\_\_\_  
Debtors<sup>6</sup>  
DIGITAL CURRENCY GROUP, INC.,  
  
Plaintiff,

v.

STEPHEN H. SOKOLOWSKI,  
CHRISTOPHER H. SOKOLOWSKI,  
GENESIS GLOBAL HOLDCO, LLC,  
GENESIS GLOBAL CAPITAL, LLC, AND  
GENESIS ASIA PACIFIC PTE. LTD.

Case No. 23-10063 (SHL)

Adversary Proceeding No.  
25-01111 (SHL)

Defendants.

**PROPOSED ORDER**

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<sup>6</sup> The Wind-Down Debtors in these cases, along with the last four digits of each Wind-Down Debtor's registration number in the applicable jurisdiction, are as follows: Genesis Global Holdco, LLC (8219), Genesis Global Capital, LLC (8564), and Genesis Asia Pacific Pte. Ltd. (2164R)

Upon consideration of the *Motion to Dismiss the Counterclaim of Stephen H. and Christopher H. Sokolowski Pursuant to Federal Rule of Bankruptcy Procedure 12(b)(1)* (ECF No. 29), the supporting memorandum (ECF No. 30), the Counterclaim (ECF No. 12), the Sokolowskis' opposition (Oct. 9, 2025), and the record of these proceedings; it is

**ORDERED:**

1. **Motion to Dismiss Denied:** The Debtors' Rule 12(b)(1) motion to dismiss the Counterclaim is **DENIED**, and the Debtors are **ORDERED** to answer the Counterclaim.
2. **Alternative Procedure if Discovery is Required:** If (and only if) the Court determines that discovery is required, the following single-path election and sequencing shall apply:
  - a. **Service:** Within 7 days, the Debtors shall serve this Order and the operative pleadings on Jefferies Leveraged Credit Products LLC ("Jefferies") pursuant to Fed. R. Bankr. P. 7004, and shall promptly file a certificate of service.
  - b. **Intervention Only:** Within 14 days after proper service, Jefferies must move to intervene as an adverse claimant under Fed. R. Civ. P. 24 (as incorporated by Fed. R. Bankr. P. 7024) for the limited purpose of litigating assignment of the Sokolowskis' personal, individual UTPCPL claims. Any request to substitute, control, or otherwise displace the existing plaintiffs is denied.
  - c. **If Jefferies does not respond:** If Jefferies does not timely move to intervene after proper service, Jefferies' silence shall be treated as a disclaimer of the Sokolowskis' personal, individual UTPCPL claims only for purposes of this adversary proceeding only, and the Debtors (and DCG) are precluded from invoking any purported Jefferies

contract rights (including any purchase/assignment agreement) as a basis for dismissal, delay, or other relief in this action. Nothing herein binds Jefferies in any other action or forum absent joinder or Jefferies' express stipulation.

- d. **No Effect on Bankruptcy Claim:** For avoidance of doubt, a non-response by Jefferies does not waive, release, assign, estop, impair, or adjudicate any Jefferies right, title, or interest in or to the bankruptcy claim, any Form 2100A transfer, or any distributions, allowance, setoff, or plan-related rights in the main case; those matters are unaffected by this Order.
- e. **Timeliness/Conditions:** Any later motion to intervene by Jefferies shall be presumptively untimely and will be denied absent extraordinary cause.
- f. **Protective “Discovery Gate:”** Unless and until Jefferies actually intervenes as an adverse claimant, no discovery shall be sought or taken into any Jefferies purchase/assignment agreement or related ownership issues. Good cause exists for this protective relief under Fed. R. Civ. P. 26(c) (as incorporated by Fed. R. Bankr. P. 7026) to avoid undue burden, expense, and confusion; any such evidence is also subject to exclusion under Fed. R. Evid. 403.
- g. **Reservation and Clarifications:** This Order (i) does not substitute Jefferies for the Sokolowskis or cede control of the plaintiffs' claim; (ii) preserves all parties' rights and defenses on the merits (including non-assignability and *nemo dat*); and (iii) implements Fed. R. Civ. P. 17(a)(3)'s purpose—finality without advisory contract

rulings—by channeling any ownership contest into a party that elects to appear and be bound.

**h. Discovery:** The Discovery Protocol (ECF No. 21, Ex. A) is ordered in parallel to complete the record on the nature of the live controversy at issue and for the equitable factors in DCG’s original injunction claim.

SO ORDERED.

Dated: \_\_\_\_\_, 2025  
New York, New York

Hon. Sean H. Lane  
United States Bankruptcy Judge

# **Exhibit B**

**Re: In re Genesis Global HoldCo, LLC et al., Ch. 11 Case No. 23-10063  
(Bankr. S.D.N.Y. 2023)**

**From:** "Tessa Ptucha" <Tessa\_Ptucha@nysb.uscourts.gov>  
**To:** "Laura King" <lking@selendygay.com>, "Stephen Sokolowski" <steve@shoemakervillage.org>, "Kaminetzky, Benjamin S." <ben.kaminetzky@davispolk.com>, "NYSBdb\_SHL" <SHL.orders@nysb.uscourts.gov>  
**Cc:** "Philippe Selendy" <pselendy@selendygay.com>, "Jennifer Selendy" <jselendy@selendygay.com>, "Claire O'Brien" <cobrien@selendygay.com>, "Claudia Tobler" <ctobler@selendygay.com>, "Kayleigh Yerdon" <kyerdon@selendygay.com>, "Huebner, Marshall S." <marshall.huebner@davispolk.com>, "Moskowitz, Elliot" <elliot.moskowitz@davispolk.com>, "Tobak, Marc J." <marc.tobak@davispolk.com>, "Schwartz, Daniel J." <daniel.schwartz@davispolk.com>, "chris@shoemakervillage.org" <chris@shoemakervillage.org>, "Brock, Matthew R." <matthew.brock@davispolk.com>, "Kelley Cornish" <kcornish@selendygay.com>  
**Attachments:** —  
**Date:** Thu, 04 Sep 2025 18:19:11 +0000  
**Message-ID:** <PH0PR09MB8682AAB34566E24A2642E29FBC00A@PH0PR09MB8682.namprd09.prod.outlook.com>

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Good afternoon Ms. King,

The Judge intends to hold firm on the September 15 hearing date for the motion to enforce, the motion for a preliminary injunction against the Sokolowski defendants in the adversary proceeding (25-01111), and related pleadings. Thank you for filing the notice of a hearing.

Best,  
Tessa

Tessa M. Ptucha  
Law Clerk to the Honorable Sean H. Lane and the Honorable Cecelia G. Morris  
United States Bankruptcy Court, S.D.N.Y.  
300 Quarropas Street  
White Plains, N.Y. 10601  
Tel: (845) 451-6373

<b>From:</b>	Laura King <lking@selendygay.com>
<b>Sent:</b>	Tuesday, September 2, 2025 3:58 PM
<b>To:</b>	Stephen Sokolowski <steve@shoemakervillage.org>; Kaminetzky, Benjamin S. <ben.kaminetzky@davispolk.com>; NYSBdb_SHL <SHL.orders@nysb.uscourts.gov>
<b>Cc:</b>	Philippe Selendy <pselendy@selendygay.com>; Jennifer Selendy <jselendy@selendygay.com>; Claire O'Brien <cobrien@selendygay.com>; Claudia Tobler <ctobler@selendygay.com>; Kayleigh Yerdon <kyerdon@selendygay.com>; Huebner, Marshall S. <marshall.huebner@davispolk.com>; Moskowitz, Elliot <elliot.moskowitz@davispolk.com>; Tobak, Marc J. <marc.tobak@davispolk.com>; Schwartz, Daniel J. <daniel.schwartz@davispolk.com>; chris@shoemakervillage.org <chris@shoemakervillage.org>; Brock, Matthew R. <matthew.brock@davispolk.com>; Kelley Cornish <kcornish@selendygay.com>

<b>Subject:</b>	RE: In re Genesis Global HoldCo, LLC et al., Ch. 11 Case No. 23-10063 (Bankr. S.D.N.Y. 2023)
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CAUTION - EXTERNAL:

Dear Ms. Ebanks,

We are following-up on our request for a conference with the Court to discuss the September 15th scheduling of the preliminary injunction motion in the above-referenced adversary proceeding, given the clerk's September 22nd scheduling of the Debtors' response deadline to the Defendants' joinder of the Debtors to the declaratory judgment counterclaim in the same action. We also request guidance on our pending request for limited discovery, for the reasons previously stated.

In the meanwhile, in compliance with the Court's local rules, we noticed the hearing for the Genesis Debtors' Motion to Enforce the Plan (ECF No. 2180) and related pleadings (see ECF Nos. 2213, 2217) for a hybrid Zoom/in-person hearing on September 15, 2025, at 11:00 a.m., to be heard alongside the previously scheduled matters in the adversary proceeding, 25-ap-01111, should the matters go forward on that date.

Thank you,

Laura

Laura King  
Associate [Email<mailto:lkling@selendygay.com>]

Selendy Gay PLLC [Web<https://www.selendygay.com/>]

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+1 212.390.9352 [0]

<b>From:</b>	Laura King
<b>Sent:</b>	Thursday, August 28, 2025 12:14 PM
<b>To:</b>	Stephen Sokolowski <steve@shoemakervillage.org>; Kaminetzky, Benjamin S. <ben.kaminetzky@davispolk.com>; shl.orders@nysb.uscourts.gov
<b>Cc:</b>	Philippe Selendy <pselendy@selendygay.com>; Jennifer Selendy <jselendy@selendygay.com>; Claire O'Brien <cobrien@selendygay.com>; Claudia Tobler <ctobler@selendygay.com>; Kayleigh Yerdon <kyerdon@selendygay.com>; Huebner, Marshall S. <marshall.huebner@davispolk.com>; Moskowitz, Elliot <elliot.moskowitz@davispolk.com>; Tobak, Marc J. <marc.tobak@davispolk.com>; Schwartz, Daniel J. <daniel.schwartz@davispolk.com>; chris@shoemakervillage.org; Brock, Matthew R. <matthew.brock@davispolk.com>; Kelley Cornish <kcornish@selendygay.com>
<b>Subject:</b>	RE: In re Genesis Global HoldCo, LLC et al., Ch. 11 Case No. 23-10063 (Bankr. S.D.N.Y. 2023)

Dear Ms. Ebanks,

The Debtors reiterate their request for a brief chambers conference to discuss the scheduling issues they raised for the reasons they stated.

Respectfully submitted,

Laura

Laura King

Associate [Email<mailto:lkling@selendygay.com>]  
Selendy Gay PLLC [Web<https://www.selendygay.com/>]  
-----  
+1 212.390.9352 [0]

<b>From:</b>	Stephen Sokolowski <steve@shoemakervillage.org<mailto:steve@shoemakervillage.org>>
<b>Sent:</b>	Wednesday, August 27, 2025 6:15 PM
<b>To:</b>	Kaminetzky, Benjamin S. <ben.kaminetzky@davispolk.com<mailto:ben.kaminetzky@davispolk.com>>; Laura King <lkling@selendygay.com<mailto:lkling@selendygay.com>>; shl.orders@nysb.uscourts.gov<mailto:shl.orders@nysb.uscourts.gov>
<b>Cc:</b>	Philippe Selendy <pselendy@selendygay.com<mailto:pselendy@selendygay.com>>; Jennifer Selendy <jselendy@selendygay.com<mailto:jselendy@selendygay.com>>; Claire O'Brien <cobrien@selendygay.com<mailto:cobrien@selendygay.com>>; Claudia Tobler <ctobler@selendygay.com<mailto:ctobler@selendygay.com>>; Kayleigh Yerdon <kyerdon@selendygay.com<mailto:kyerdon@selendygay.com>>; Huebner, Marshall S. <marshall.huebner@davispolk.com<mailto:marshall.huebner@davispolk.com>>; Moskowitz, Elliot <elliot.moskowitz@davispolk.com<mailto:elliot.moskowitz@davispolk.com>>; Tobak, Marc J. <marc.tobak@davispolk.com<mailto:marc.tobak@davispolk.com>>; Schwartz, Daniel J. <daniel.schwartz@davispolk.com<mailto:daniel.schwartz@davispolk.com>>; chris@shoemakervillage.org<mailto:chris@shoemakervillage.org>; Brock, Matthew R. <matthew.brock@davispolk.com<mailto:matthew.brock@davispolk.com>>
<b>Subject:</b>	Re: In re Genesis Global HoldCo, LLC et al., Ch. 11 Case No. 23-10063 (Bankr. S.D.N.Y. 2023)

Dear Ms. Ebanks,

Defendants Stephen and Christopher Sokolowski oppose any adjournment of the September 15, 2025 hearing.

The primary issue set for that date - whether the Pennsylvania UTPCPL claim is direct (consumer-owned) or estate/derivative - is a pure question of law that can be decided on the existing papers. No third party discovery is necessary. The publicly filed Notice of Transfer already states what was assigned; a confidential purchase/assignment agreement is immaterial to the legal ownership of a UTPCPL claim.

For avoidance of doubt, Defendants oppose any discovery, joinder/impleader, or lodgment - whether public or in camera - concerning any purchase/sale/assignment agreements, pricing schedules, or other third party trading contracts for purposes of the September 15 hearing.

This position is without prejudice to Defendants' right, if the Court elects to consider equitable issues, to propose a comprehensive, narrowly tailored discovery protocol supported by a detailed brief explaining the chronology and unclean hands rationale, without affecting the September 15 date.

Respectfully,  
Stephen H. Sokolowski (pro se)  
Christopher H. Sokolowski (pro se)

<b>From:</b>	Kaminetzky, Benjamin S.
<b>Date:</b>	8/27/2025 10:07 AM

Dear Ms. Ebanks,

We write on behalf of plaintiff DCG. DCG opposes any delay of the September 15, 2025 hearing on its motion for a preliminary injunction against defendants Steven Sokolowski and Christopher Sokolowski ("Defendants") from prosecuting estate causes of action against DCG.

The Debtors' latest request for adjournment so that they may take discovery from Defendants (of a single document that they have known about for months) is unfounded. Their request disregards that the Court repeatedly and unequivocally rejected on the record at the August 15, 2025 status conference the Debtors' requests that this hearing be delayed. (Aug. 15 Tr. at 33:29-35:21, 40:16-42:17 (rejecting the Debtors' requests to adjourn the September 15 hearing).) Among other things, the Court observed that it was important for this matter to go forward on September 15 because, absent prompt guidance from the Court, this issue is likely to arise again. (Aug. 15 Tr. at 41:15-18 ("Given the number of customers out there, it seems likely . . . that some of these issues are going to come up at some point and it's going to be necessary to establish some guardrails"); 42:9-12 (explaining that, even if the Debtors prefer for Defendants to withdraw their claims, "we'll litigate it and that if this issue isn't litigated now, it seems likely to pop up in the context of other customers and other proceedings").) The Debtors' latest request for an adjournment fails to address any of those considerations. Accordingly, the Court should reject this renewed attempt by the Debtors' to adjourn the September 15 hearing.

Further, the Debtors' purported "new" bases for delaying this hearing are not "new" and do not withstand scrutiny:

First, as the Court commented at the August 15 status conference, the Court will not entertain a risk of duplicative litigation because the Court will decide the legal issues presented in DCG's motion once and finally. (Aug. 15 Tr. at 47:24-48:5 (anticipating that the September 15 hearing will "decid[e] it not only for purposes of preliminary injunction, but for essentially on the merits, just so we have one final answer . . .").) The issues presented in the preliminarily injunction will entirely decide Defendants' counterclaim. In its motion, DCG asks the Court to find that Defendants are seeking to prosecute estate causes of action and to enjoin them from doing so. This issue will be fully briefed by the September 15 hearing and will be ripe for adjudication. In their counterclaim, Defendants seek a declaration that they are not seeking to prosecute estate causes of action. Thus, it is simply the flip-side of the issue raised by DCG's motion. If the Court addresses the only issue presented for adjudication at the September 15 hearing, that decision necessarily will be binding on both DCG and Defendants and will moot Defendants' counterclaim. Accordingly, there will be no need for duplicative litigation unless parties other than DCG insist on rejecting the Court's direction that the matters will be considered once and finally. Moreover, the Debtors cannot credibly claim that they need until September 22 to determine whether or not they believe that Defendants are attempting to prosecute estate claims. This hearing has already been adjourned one month, from August 15 to September 15 to accommodate an additional defendant (Vincent Falco) who has since dismissed his underlying action against DCG. Thus, by September 15, the Debtors will have had the better part of three months to form a view on whether Defendants attempt to prosecute estate claims should be enjoined—a position the Debtors previously informed DCG that they agreed with. (See Doc. No. 2218-1.) It is unfair to force DCG, which remains at risk at having to defend and expend resources on Defendants'

underlying lawsuits in the Middle District of Pennsylvania and the District of Connecticut, to wait any longer for the Court's determination of whether Defendants may prosecute those underlying lawsuits. Accordingly, Defendants' counterclaims in the instant adversary proceeding do not provide any basis to further delay the September 15 hearing.

Second, the Debtors have no plausible need for discovery in advance of the hearing on DCG's preliminary injunction motion. DCG commenced the instant adversary proceeding seven weeks ago, during which time the Debtors filed and fully briefed a motion to enjoin DCG from proceeding with its motion. Yet the Debtors never once raised the prospect of seeking discovery until after the Court denied their first request to adjourn the September 15 hearing.

Moreover, there is no need for the debtors to seek "discovery to obtain a copy of the assignment agreement" because it is public. Defendants filed a Notice of Transfer of Claim on behalf of their investment fund Cryptocurrency Management LLC on the public docket over three and a half years ago, which takes the form of a sale, assignment and transfer and explicitly sets forth what was assigned. (Doc. No. 50.) The Notice provides that Defendants' fund assigned all "right, title, interest, claims and causes of action in and to, or arising under in connection with, Seller's claim . . ." (Id.) Thus, there is no need for discovery to determine what was assigned or the precise terms of that assignment because that information is already before the Court.

Accordingly, DCG objects to the Debtors' renewed request to adjourn the September 15 hearing and respectfully requests that the September 15 hearing go forward as scheduled so that DCG's motion for a preliminary injunction can be resolved as expeditiously as possible.

Respectfully Submitted,

Ben Kaminetzky

Ben Kaminetzky

Davis Polk & Wardwell LLP

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[ben.kaminetzky@davispolk.com](mailto:ben.kaminetzky@davispolk.com)<<mailto:ben.kaminetzky@davispolk.com>>

<b>From:</b>	Laura King < <a href="mailto:lking@selendygay.com">lking@selendygay.com</a> >< <a href="mailto:lking@selendygay.com">mailto:lking@selendygay.com</a> >
<b>Sent:</b>	Monday, August 25, 2025 4:31 PM
<b>To:</b>	<a href="mailto:shl.orders@nysb.uscourts.gov">shl.orders@nysb.uscourts.gov</a> < <a href="mailto:shl.orders@nysb.uscourts.gov">mailto:shl.orders@nysb.uscourts.gov</a> >

<b>Cc:</b>	Philippe Selendy <pselendy@selendygay.com><mailto:pselendy@selendygay.com>; Jennifer Selendy <jselendy@selendygay.com><mailto:jselendy@selendygay.com>; Claire O'Brien <cobrien@selendygay.com><mailto:cobrien@selendygay.com>; Claudia Tobler <ctobler@selendygay.com><mailto:ctobler@selendygay.com>; Kayleigh Yerdon <kyerdon@selendygay.com><mailto:kyerdon@selendygay.com>; Huebner, Marshall S. <marshall.huebner@davispolk.com><mailto:marshall.huebner@davispolk.com>; Kaminetzky, Benjamin S. <ben.kaminetzky@davispolk.com><mailto:ben.kaminetzky@davispolk.com>; Moskowitz, Elliot <elliot.moskowitz@davispolk.com><mailto:elliot.moskowitz@davispolk.com>; Tobak, Marc J. <marc.tobak@davispolk.com><mailto:marc.tobak@davispolk.com>; Schwartz, Daniel J. <daniel.schwartz@davispolk.com><mailto:daniel.schwartz@davispolk.com>; Stephen Sokolowski <steve@shoemakervillage.org><mailto:steve@shoemakervillage.org>; chris@shoemakervillage.org<mailto:chris@shoemakervillage.org>
<b>Subject:</b>	In re Genesis Global HoldCo, LLC et al., Ch. 11 Case No. 23-10063 (Bankr. S.D.N.Y. 2023)

Dear Ms. Ebanks,

On behalf of the Debtors in the above-captioned chapter 11 cases and adversary proceeding, we respectfully ask for a conference with the Court to discuss scheduling the Sokolowskis' counterclaim [AP ECF No. 12] and rescheduling the September 15, 2025 hearing on the Debtors' motion to enforce the plan (filed in the chapter 11 cases) [Ch 11 ECF No. 2180] , and DCG's motion for preliminary injunction (filed in the adversary proceeding) [AP ECF No. 2]. A primary purpose of the September 15 hearing is to determine whether the Sokolowskis are asserting estate causes of action in violation of the chapter 11 plan.

The Debtors ask the Court for a conference to discuss scheduling for two reasons.

First, September 22, 2025, is the Debtor's deadline to answer the Sokolowskis' counterclaim for declaratory judgment. The Sokolowskis filed their answer and counterclaim on August 15, in which they join the Debtors, the same day as the status conference on this matter. Given that timing, none of the parties had time to review it. As it turns out, the Sokolowskis' counterclaim seeks a declaratory judgment on whether the Sokolowskis' creditor claims assert estate causes of action. However, it is not properly before the Court on September 15. Proceeding with the September 15 hearing therefore risks duplicative proceedings on the same issue.

Second, the Debtors need limited discovery to obtain a copy of the assignment agreement pursuant to which the Sokolowskis purportedly sold all of their creditor claims against the estate to Jefferies. Whether the Sokolowskis own the creditor claims that DCG wants to enjoin presents a gating, jurisdictional issue. Absent seeing the governing agreement, the Debtors do not know whether the Sokolowskis hold any creditor claims and do not believe any basis has been shown for this Court to issue a ruling on the merits of an injunction in a case between the Sokolowskis (purportedly non-creditors) and DCG (a non-debtor) at the September 15 hearing. To date, the Sokolowskis have not agreed to share the agreement.

The Debtors asked DCG's counsel and the Sokolowskis, copied here, for a consensual adjournment before reaching out for a Court conference. They refused.

The Debtors therefore ask the Court to reschedule the September 15, 2025, hearing to a date after September 22, 2025. This avoids duplicative court

proceedings, and allows the Debtors time to take limited discovery of the Sokolowskis to determine if they own the claims at issue, and if necessary, to join Jefferies in the adversary proceeding.

We are available for a conference with the Court on these issues at the Court's convenience.

Regards,

Laura

Laura King  
Associate [Email<mailto:lkling@selendygay.com>]

Selendy Gay PLLC [Web<https://www.selendygay.com/>]

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+1 212.390.9352 [0]

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CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary.  
Exercise caution when opening attachments or clicking on links.

# Exhibit C

## UNITED STATES BANKRUPTCY COURT

Southern	District of	New York
In re	Genesis Global Holdco, LLC, et al.	
Debtor		
(Complete if issued in an adversary proceeding)		
Digital Currency Group, Inc.		
Plaintiff		
V. Vincent Falco, Stephen H. Sokolowski, and Christopher H. Sokolowski		
Defendant		

Case No. 23-10063 (SHL)

Chapter 11

Adv. Proc. No. 25-01111-SHL

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)**

To: Stephen H. Sokolowski  
*(Name of person to whom the subpoena is directed)*

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

PLACE	Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104	DATE AND TIME
		09/11/2025 5:00 pm

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

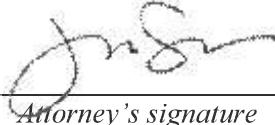
PLACE	DATE AND TIME

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 09/08/2025

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*

  
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (*name of party*)  
 Genesis Global Holdco, LLC, et al., who issues or requests this subpoena, are:

Jennifer Selendy, Selendy Gay PLLC, 1290 Avenue of the Americas, New York, NY 10104, jselendy@selendygay.com, 212-390-9000

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (*name of individual and title, if any*): \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
on (*date*) \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true and correct.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information concerning attempted service, etc.:

**Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)**  
**(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)**

**(c) Place of compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

- (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) *Contempt.* The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

# **Exhibit C**

## **Attachment A**

**(Originally labeled “Exhibit A” in  
subpoena package)**

## EXHIBIT A

### DEFINITIONS

1. The singular form of a word includes the plural, and vice versa.
2. Any tense of a verb includes all tenses thereof.
3. Any natural person includes that person's agents, assigns, attorneys, employees, representatives, and successors.
4. Any entity other than a natural person includes (a) that entity's present and former agents, affiliates (foreign or domestic), assigns, attorneys, consultants, directors, divisions, employees, officers, parents, predecessors, representatives, servants, subsidiaries, and successors; (b) any person or entity, directly or indirectly, wholly or in part, associated with, controlled by, or owned by that entity; (c) and any other person or entity acting or purporting to act on behalf of (a) or (b).
5. "All," "any," and "each" mean any and all.
6. "And" and "or" are construed both conjunctively and disjunctively.
7. "Communication" means every manner of the transmission of information in the form of facts, ideas, inquiries, or otherwise, whether person-to-person, in a group, orally, in writing, by telephone, by electronic transmission, or otherwise.
8. "Document" means "document" and "electronically stored information" as defined in Federal Rule of Civil Procedure 34(a)(1)(A) (made applicable in bankruptcy cases by Rule 7034, Federal Rules of Bankruptcy Procedure). A draft or non-identical copy is a separate document within the meaning of this term.
9. "Including" means including but not limited to.
10. "Person" means a natural person or legal entity including any business or governmental entity or association.

11. "Request" means any of these requests.
12. "Genesis Bankruptcy Case" means Case No. 23-10063 pending in the United States Bankruptcy Court for the Southern District of New York concerning the chapter 11 cases of Genesis Global Holdco, LLC, Genesis Global Capital, LLC, and its debtor affiliates.
13. "Claim" means any right, title, interest, claims and causes of action in and to, or arising under or in connection with, Cryptocurrency Management LLC's claim (as such term is defined in Section 101(4) of the U.S. Bankruptcy Code) that was asserted against Genesis Global Capital, LLC and Genesis Global Holdco, LLC, and each of its debtors and non-debtor affiliates in the Genesis Bankruptcy Case.

### **INSTRUCTIONS**

1. These Requests seek production of material in Your possession, custody, or control.
2. These Requests seek production of nonprivileged material.
3. For each Request, either state that You will produce the requested material or state with specificity the grounds and reasons for objecting to the Request.
4. If You object to all or part of a Request, state whether You are withholding any responsive material based on that objection.
5. If You object to part of a Request, specify the part and state that You will produce Documents responsive to the rest.
6. If You withhold responsive information by claiming that the information is privileged or subject to protection as trial-preparation material, expressly make the claim and describe the nature of the information privileged or protected in a manner that, without revealing information itself privileged or protected, will enable assessment of the claim, in a privilege log that complies with Federal Rule of Civil Procedure 45(e)(2) (made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure). For each Document or Communication You

withhold as privileged, identify the Document or Communication, state the specific basis for the claim of privilege, and provide the following information: (1) the date appearing on the Document or Communication; (2) a description of the general nature of the Document or Communication (e.g., whether it is a letter, memorandum, e-mail, etc.); (3) the author of the Document or Communication; and (4) the identity of each person to whom the Document or Communication was addressed and the identity of each person to whom a copy was sent.

7. Produce Documents and Communications as they are kept in the usual course of business. For each Document and Communication, identify the file or location from which it was taken and the name, affiliation, and position of the producing custodian or non-custodial source.

8. Produce each Document and Communication in its entirety, without abbreviation or redaction, including all attachments or materials attached thereto.

9. Produce all versions of each Document and Communication that are not identical to the original Document and Communication (including all drafts) whether due to handwritten notations, revisions, enclosures, attachments, underlining, highlighting, or otherwise.

#### **RELEVANT TIME PERIOD**

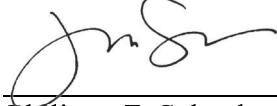
Unless otherwise specified, these Requests cover the time period from and including January 15, 2023, to and including February 15, 2023.

#### **REQUESTS**

1. The claim sale and purchase agreement, and any other document evidencing the transfer by Cryptocurrency Management LLC of its claim in the Genesis Bankruptcy Case to Jef- feries Leveraged Credit Products, LLC, as referenced in the Rule 3001 notice of transfer, enclosed as Exhibit B.

Dated: September 8, 2025

By:



---

Philippe Z. Selendy  
Jennifer M. Selendy  
Claire O'Brien  
Laura M. King  
SELENDY GAY PLLC  
1290 Avenue of the Americas  
New York, NY 10104  
Tel: 212-390-9000  
[pselendy@selendygay.com](mailto:pselendy@selendygay.com)  
[jselendy@selendygay.com](mailto:jselendy@selendygay.com)  
[cobrien@selendygay.com](mailto:cobrien@selendygay.com)  
[lking@selendygay.com](mailto:lking@selendygay.com)

*Counsel for Genesis Global Capital, LLC,  
Genesis Asia Pacific, Pte., and Genesis Global  
Holdco, LLC*

# **Exhibit C**

# **Attachment B**

(Originally labeled “Exhibit B” in  
subpoena package)

**NOTICE OF TRANSFER OF CLAIM – E1**

**TO: THE DEBTORS AND THE BANKRUPTCY COURT**

For value received, the adequacy and sufficiency of which are hereby acknowledged, **Cryptocurrency Management LLC**, with offices located at **3178 Carnegie Drive, State College, PA 16803 USA** (the “Seller”), hereby unconditionally and irrevocably sells, transfers and assigns to **Jefferies Leveraged Credit Products, LLC**, with offices located at **520 Madison Avenue, 3rd Floor, New York, New York 10022** (the “Buyer”) a value of \$4,000,000.00 of Seller’s right, title, interest, claims and causes of action in and to, or arising under or in connection with, Seller’s claim (as such term is defined in Section 101(5) of the U.S. Bankruptcy Code), designated on the Claims Registry in the Bankruptcy Case (as defined below) as Case No. 23-10063 and filed in the original liquidated face claim amount of \$4,000,000.00, that was asserted against Genesis Global Capital, LLC and Genesis Global Holdco, LLC, and each of its debtors and non-debtor affiliates (collectively, “**Genesis**”), (the “Bankruptcy Case”) pending in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”)

Seller hereby waives any objection to the transfer of the claim to Buyer on the books and records of the Debtors and the Bankruptcy Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as might be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Seller acknowledges and understands, and hereby stipulates, that an order of the Bankruptcy Court may be entered without further notice to Seller transferring to Buyer the foregoing claim and recognizing Buyer as the sole owner and holder of the claim. Seller further directs the Debtors, the Bankruptcy Court, and all other interested parties that all further notices relating to the claim, and all payments or distributions of money or property in respect of the claim, are to be delivered or made to Buyer.

*(remainder of page blank)*

IN WITNESS WHEREOF, this NOTICE OF TRANSFER OF CLAIM is executed this 31<sup>st</sup> day of January, 2023

**SELLER:**

Cryptocurrency Management LLC,

By: Stephen Sokolowski  
Name: Stephen Sokolowski  
Title: Owner

**BUYER:**

Jefferies Leveraged Credit Products, LLC,

By: William P. McLoughlin  
Name:  
Title:  
William P. McLoughlin  
Senior Vice President  
Authorized Signatory

# **Exhibit D**

## UNITED STATES BANKRUPTCY COURT

Southern

District of

New York

In re Genesis Global Holdco, LLC, et al.

Debtor

(Complete if issued in an adversary proceeding)

Digital Currency Group, Inc.

Plaintiff

V.

Vincent Falco, Stephen H. Sokolowski, and Christopher H. Sokolowski

Defendant

Case No. 23-10063 (SHL)Chapter 11Adv. Proc. No. 25-01111-SHL**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)**To: Christopher H. Sokolowski

(Name of person to whom the subpoena is directed)

**Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

PLACE	<u>Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104</u>	DATE AND TIME
		<u>09/11/2025 5:00 pm</u>

**Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

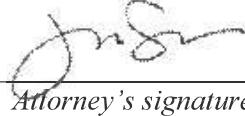
PLACE	DATE AND TIME

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 09/08/2025

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

  
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)  
Genesis Global Holdco, LLC, et al., who issues or requests this subpoena, are:

Jennifer Selendy, Selendy Gay PLLC, 1290 Avenue of the Americas, New York, NY 10104, jselendy@selendygay.com, 212-390-9000

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (*name of individual and title, if any*): \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
on (*date*) \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true and correct.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information concerning attempted service, etc.:

**Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)**  
**(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)**

**(c) Place of compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

- (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

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**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

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(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
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(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

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**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) *Contempt.* The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

# **Exhibit D**

# **Attachment A**

(Originally labeled “Exhibit A” in  
subpoena package)

## EXHIBIT A

### DEFINITIONS

1. The singular form of a word includes the plural, and vice versa.
2. Any tense of a verb includes all tenses thereof.
3. Any natural person includes that person's agents, assigns, attorneys, employees, representatives, and successors.
4. Any entity other than a natural person includes (a) that entity's present and former agents, affiliates (foreign or domestic), assigns, attorneys, consultants, directors, divisions, employees, officers, parents, predecessors, representatives, servants, subsidiaries, and successors; (b) any person or entity, directly or indirectly, wholly or in part, associated with, controlled by, or owned by that entity; (c) and any other person or entity acting or purporting to act on behalf of (a) or (b).
5. "All," "any," and "each" mean any and all.
6. "And" and "or" are construed both conjunctively and disjunctively.
7. "Communication" means every manner of the transmission of information in the form of facts, ideas, inquiries, or otherwise, whether person-to-person, in a group, orally, in writing, by telephone, by electronic transmission, or otherwise.
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10. "Person" means a natural person or legal entity including any business or governmental entity or association.

11. "Request" means any of these requests.
12. "Genesis Bankruptcy Case" means Case No. 23-10063 pending in the United States Bankruptcy Court for the Southern District of New York concerning the chapter 11 cases of Genesis Global Holdco, LLC, Genesis Global Capital, LLC, and its debtor affiliates.
13. "Claim" means any right, title, interest, claims and causes of action in and to, or arising under or in connection with, Cryptocurrency Management LLC's claim (as such term is defined in Section 101(4) of the U.S. Bankruptcy Code) that was asserted against Genesis Global Capital, LLC and Genesis Global Holdco, LLC, and each of its debtors and non-debtor affiliates in the Genesis Bankruptcy Case.

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2. These Requests seek production of nonprivileged material.
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4. If You object to all or part of a Request, state whether You are withholding any responsive material based on that objection.
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6. If You withhold responsive information by claiming that the information is privileged or subject to protection as trial-preparation material, expressly make the claim and describe the nature of the information privileged or protected in a manner that, without revealing information itself privileged or protected, will enable assessment of the claim, in a privilege log that complies with Federal Rule of Civil Procedure 45(e)(2) (made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure). For each Document or Communication You

withhold as privileged, identify the Document or Communication, state the specific basis for the claim of privilege, and provide the following information: (1) the date appearing on the Document or Communication; (2) a description of the general nature of the Document or Communication (e.g., whether it is a letter, memorandum, e-mail, etc.); (3) the author of the Document or Communication; and (4) the identity of each person to whom the Document or Communication was addressed and the identity of each person to whom a copy was sent.

7. Produce Documents and Communications as they are kept in the usual course of business. For each Document and Communication, identify the file or location from which it was taken and the name, affiliation, and position of the producing custodian or non-custodial source.

8. Produce each Document and Communication in its entirety, without abbreviation or redaction, including all attachments or materials attached thereto.

9. Produce all versions of each Document and Communication that are not identical to the original Document and Communication (including all drafts) whether due to handwritten notations, revisions, enclosures, attachments, underlining, highlighting, or otherwise.

#### **RELEVANT TIME PERIOD**

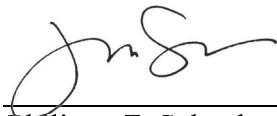
Unless otherwise specified, these Requests cover the time period from and including January 15, 2023, to and including February 15, 2023.

#### **REQUESTS**

1. The claim sale and purchase agreement, and any other document evidencing the transfer by Cryptocurrency Management LLC of its claim in the Genesis Bankruptcy Case to Jef- feries Leveraged Credit Products, LLC, as referenced in the Rule 3001 notice of transfer, enclosed as Exhibit B.

Dated: September 8, 2025

By:



---

Philippe Z. Selendy  
Jennifer M. Selendy  
Claire O'Brien  
Laura M. King  
SELENDY GAY PLLC  
1290 Avenue of the Americas  
New York, NY 10104  
Tel: 212-390-9000  
[pselendy@selendygay.com](mailto:pselendy@selendygay.com)  
[jselendy@selendygay.com](mailto:jselendy@selendygay.com)  
[cobrien@selendygay.com](mailto:cobrien@selendygay.com)  
[lking@selendygay.com](mailto:lking@selendygay.com)

*Counsel for Genesis Global Capital, LLC,  
Genesis Asia Pacific, Pte., and Genesis Global  
Holdco, LLC*

# **Exhibit D**

# **Attachment B**

(Originally labeled “Exhibit B” in  
subpoena package)

**NOTICE OF TRANSFER OF CLAIM – E1**

**TO: THE DEBTORS AND THE BANKRUPTCY COURT**

For value received, the adequacy and sufficiency of which are hereby acknowledged, **Cryptocurrency Management LLC**, with offices located at **3178 Carnegie Drive, State College, PA 16803 USA** (the “Seller”), hereby unconditionally and irrevocably sells, transfers and assigns to **Jefferies Leveraged Credit Products, LLC**, with offices located at **520 Madison Avenue, 3rd Floor, New York, New York 10022** (the “Buyer”) a value of \$4,000,000.00 of Seller’s right, title, interest, claims and causes of action in and to, or arising under or in connection with, Seller’s claim (as such term is defined in Section 101(5) of the U.S. Bankruptcy Code), designated on the Claims Registry in the Bankruptcy Case (as defined below) as Case No. 23-10063 and filed in the original liquidated face claim amount of \$4,000,000.00, that was asserted against Genesis Global Capital, LLC and Genesis Global Holdco, LLC, and each of its debtors and non-debtor affiliates (collectively, “**Genesis**”), (the “Bankruptcy Case”) pending in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”)

Seller hereby waives any objection to the transfer of the claim to Buyer on the books and records of the Debtors and the Bankruptcy Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as might be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Seller acknowledges and understands, and hereby stipulates, that an order of the Bankruptcy Court may be entered without further notice to Seller transferring to Buyer the foregoing claim and recognizing Buyer as the sole owner and holder of the claim. Seller further directs the Debtors, the Bankruptcy Court, and all other interested parties that all further notices relating to the claim, and all payments or distributions of money or property in respect of the claim, are to be delivered or made to Buyer.

*(remainder of page blank)*

IN WITNESS WHEREOF, this NOTICE OF TRANSFER OF CLAIM is executed this 31<sup>st</sup> day of January, 2023

**SELLER:**

Cryptocurrency Management LLC,

By: Stephen Sokolowski  
Name: Stephen Sokolowski  
Title: Owner

**BUYER:**

Jefferies Leveraged Credit Products, LLC,

By: William P. McLoughlin  
Name:  
Title:  
William P. McLoughlin  
Senior Vice President  
Authorized Signatory

# Exhibit E

## UNITED STATES BANKRUPTCY COURT

Southern District of New York

In re Genesis Global Holdco, LLC, et al.

Debtor

(Complete if issued in an adversary proceeding)

Digital Currency Group, Inc.

Plaintiff

V.

Vincent Falco, Stephen H. Sokolowski, and Christopher H. Sokolowski

Defendant

Case No. 23-10063 (SHL)Chapter 11Adv. Proc. No. 25-01111-SHL**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)**To: Jefferies Leveraged Credit Products, LLC  
(Name of person to whom the subpoena is directed) **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

PLACE	<u>Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104</u>	DATE AND TIME
		<u>09/11/2025 5:00 pm</u>

 **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

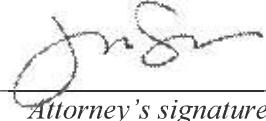
PLACE	DATE AND TIME

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 09/08/2025

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk  
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)  
Genesis Global Holdco, LLC, et al., who issues or requests this subpoena, are:

Jennifer Selendy, Selendy Gay PLLC, 1290 Avenue of the Americas, New York, NY 10104, jselendy@selendygay.com, 212-390-9000**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (*name of individual and title, if any*): \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
on (*date*) \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true and correct.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information concerning attempted service, etc.:

**Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)**  
**(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)**

**(c) Place of compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

- (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) *Contempt.* The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

# **Exhibit E**

## **Attachment A**

(Originally labeled “Exhibit A” in  
subpoena package)

## EXHIBIT A

### DEFINITIONS

1. The singular form of a word includes the plural, and vice versa.
2. Any tense of a verb includes all tenses thereof.
3. Any natural person includes that person's agents, assigns, attorneys, employees, representatives, and successors.
4. Any entity other than a natural person includes (a) that entity's present and former agents, affiliates (foreign or domestic), assigns, attorneys, consultants, directors, divisions, employees, officers, parents, predecessors, representatives, servants, subsidiaries, and successors; (b) any person or entity, directly or indirectly, wholly or in part, associated with, controlled by, or owned by that entity; (c) and any other person or entity acting or purporting to act on behalf of (a) or (b).
5. "All," "any," and "each" mean any and all.
6. "And" and "or" are construed both conjunctively and disjunctively.
7. "Communication" means every manner of the transmission of information in the form of facts, ideas, inquiries, or otherwise, whether person-to-person, in a group, orally, in writing, by telephone, by electronic transmission, or otherwise.
8. "Document" means "document" and "electronically stored information" as defined in Federal Rule of Civil Procedure 34(a)(1)(A) (made applicable in bankruptcy cases by Rule 7034, Federal Rules of Bankruptcy Procedure). A draft or non-identical copy is a separate document within the meaning of this term.
9. "Including" means including but not limited to.
10. "Person" means a natural person or legal entity including any business or governmental entity or association.

11. "Request" means any of these requests.
12. "Genesis Bankruptcy Case" means Case No. 23-10063 pending in the United States Bankruptcy Court for the Southern District of New York concerning the chapter 11 cases of Genesis Global Holdco, LLC, Genesis Global Capital, LLC, and its debtor affiliates.
13. "Claim" means any right, title, interest, claims and causes of action in and to, or arising under or in connection with, Cryptocurrency Management LLC's claim (as such term is defined in Section 101(4) of the U.S. Bankruptcy Code) that was asserted against Genesis Global Capital, LLC and Genesis Global Holdco, LLC, and each of its debtors and non-debtor affiliates in the Genesis Bankruptcy Case.

### **INSTRUCTIONS**

1. These Requests seek production of material in Your possession, custody, or control.
2. These Requests seek production of nonprivileged material.
3. For each Request, either state that You will produce the requested material or state with specificity the grounds and reasons for objecting to the Request.
4. If You object to all or part of a Request, state whether You are withholding any responsive material based on that objection.
5. If You object to part of a Request, specify the part and state that You will produce Documents responsive to the rest.
6. If You withhold responsive information by claiming that the information is privileged or subject to protection as trial-preparation material, expressly make the claim and describe the nature of the information privileged or protected in a manner that, without revealing information itself privileged or protected, will enable assessment of the claim, in a privilege log that complies with Federal Rule of Civil Procedure 45(e)(2) (made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure). For each Document or Communication You

withhold as privileged, identify the Document or Communication, state the specific basis for the claim of privilege, and provide the following information: (1) the date appearing on the Document or Communication; (2) a description of the general nature of the Document or Communication (e.g., whether it is a letter, memorandum, e-mail, etc.); (3) the author of the Document or Communication; and (4) the identity of each person to whom the Document or Communication was addressed and the identity of each person to whom a copy was sent.

7. Produce Documents and Communications as they are kept in the usual course of business. For each Document and Communication, identify the file or location from which it was taken and the name, affiliation, and position of the producing custodian or non-custodial source.

8. Produce each Document and Communication in its entirety, without abbreviation or redaction, including all attachments or materials attached thereto.

9. Produce all versions of each Document and Communication that are not identical to the original Document and Communication (including all drafts) whether due to handwritten notations, revisions, enclosures, attachments, underlining, highlighting, or otherwise.

#### **RELEVANT TIME PERIOD**

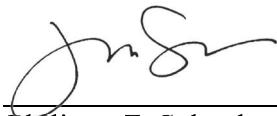
Unless otherwise specified, these Requests cover the time period from and including January 15, 2023, to and including February 15, 2023.

#### **REQUESTS**

1. The claim sale and purchase agreement, and any other document evidencing the transfer by Cryptocurrency Management LLC of its claim in the Genesis Bankruptcy Case to Jef- feries Leveraged Credit Products, LLC, as referenced in the Rule 3001 notice of transfer, enclosed as Exhibit B.

Dated: September 8, 2025

By:



---

Philippe Z. Selendy  
Jennifer M. Selendy  
Claire O'Brien  
Laura M. King  
SELENDY GAY PLLC  
1290 Avenue of the Americas  
New York, NY 10104  
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[jselendy@selendygay.com](mailto:jselendy@selendygay.com)  
[cobrien@selendygay.com](mailto:cobrien@selendygay.com)  
[lking@selendygay.com](mailto:lking@selendygay.com)

*Counsel for Genesis Global Capital, LLC,  
Genesis Asia Pacific, Pte., and Genesis Global  
Holdco, LLC*

# **Exhibit E**

# **Attachment B**

(Originally labeled “Exhibit B” in  
subpoena package)

**NOTICE OF TRANSFER OF CLAIM – E1**

**TO: THE DEBTORS AND THE BANKRUPTCY COURT**

For value received, the adequacy and sufficiency of which are hereby acknowledged, **Cryptocurrency Management LLC**, with offices located at **3178 Carnegie Drive, State College, PA 16803 USA** (the “Seller”), hereby unconditionally and irrevocably sells, transfers and assigns to **Jefferies Leveraged Credit Products, LLC**, with offices located at **520 Madison Avenue, 3rd Floor, New York, New York 10022** (the “Buyer”) a value of \$4,000,000.00 of Seller’s right, title, interest, claims and causes of action in and to, or arising under or in connection with, Seller’s claim (as such term is defined in Section 101(5) of the U.S. Bankruptcy Code), designated on the Claims Registry in the Bankruptcy Case (as defined below) as Case No. 23-10063 and filed in the original liquidated face claim amount of \$4,000,000.00, that was asserted against Genesis Global Capital, LLC and Genesis Global Holdco, LLC, and each of its debtors and non-debtor affiliates (collectively, “**Genesis**”), (the “Bankruptcy Case”) pending in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”)

Seller hereby waives any objection to the transfer of the claim to Buyer on the books and records of the Debtors and the Bankruptcy Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as might be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Seller acknowledges and understands, and hereby stipulates, that an order of the Bankruptcy Court may be entered without further notice to Seller transferring to Buyer the foregoing claim and recognizing Buyer as the sole owner and holder of the claim. Seller further directs the Debtors, the Bankruptcy Court, and all other interested parties that all further notices relating to the claim, and all payments or distributions of money or property in respect of the claim, are to be delivered or made to Buyer.

*(remainder of page blank)*

IN WITNESS WHEREOF, this NOTICE OF TRANSFER OF CLAIM is executed this 31<sup>st</sup> day of January, 2023

**SELLER:**

Cryptocurrency Management LLC,

By: Stephen Sokolowski  
Name: Stephen Sokolowski  
Title: Owner

**BUYER:**

Jefferies Leveraged Credit Products, LLC,

By: William P. McLoughlin  
Name:  
Title:  
William P. McLoughlin  
Senior Vice President  
Authorized Signatory

# **Exhibit F**

## UNITED STATES BANKRUPTCY COURT

Southern

District of

New York

In re Genesis Global Holdco, LLC, et al.

Debtor

Case No. 23-10063 (SHL)

(Complete if issued in an adversary proceeding)

Digital Currency Group, Inc.

Chapter 11

Plaintiff

Adv. Proc. No. 25-01111-SHL

v.

Vincent Falco, Stephen H. Sokolowski, and Christopher H. Sokolowski

Defendant

**SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)**

To: Matthew Aronsky

(Name of person to whom the subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States Bankruptcy Court at the time, date, and place set forth below to testify at a hearing or trial in this bankruptcy case (or adversary proceeding). When you arrive, you must remain at the court until the judge or a court official allows you to leave.

PLACE United States Bankruptcy Court for the Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

COURTROOM Hon. Sean H. Lane

DATE AND TIME September 15, 2025 at  
11:00 AM (Eastern time)

You must also bring with you the following documents, electronically stored information, or objects (leave blank if not applicable):

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 09/08/2025

CLERK OF COURT

OR

Signature of Clerk or Deputy ClerkAttorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)  
Genesis Global Holdco, LLC, et al., who issues or requests this subpoena, are:

Jennifer Selendy, Selendy Gay PLLC, 1290 Avenue of the Americas, New York, NY 10104, [jselendy@selendygay.com](mailto:jselendy@selendygay.com), 212-390-9000

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**PROOF OF SERVICE**

**(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)**

I received this subpoena for (*name of individual and title, if any*): \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
on (*date*) \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true and correct.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information concerning attempted service, etc.:

**Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)**  
**(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)**

**(c) Place of compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

- (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) *Contempt.* The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

# **Exhibit G**

# **Request for Discovery Conference - Digital Currency Group v. Falco, et al. (Adv. Proc. No. 25-01111 (SHL)) – Document Subpoena Served by Debtors on Jefferies Leveraged Credit Products**

**From:** "Mervis, Michael T." <MMervis@proskauer.com>  
**To:** "sh1.orders@nysb.uscourts.gov" <sh1.orders@nysb.uscourts.gov>  
**Cc:** "Anderson, James" <jaanderson@proskauer.com>, "marshall.huebner@davispolk.com" <marshall.huebner@davispolk.com>, "ben.kaminetzky@davispolk.com" <ben.kaminetzky@davispolk.com>, "elliot.moskowitz@davispolk.com" <elliot.moskowitz@davispolk.com>, "daniel.schwartz@davispolk.com" <daniel.schwartz@davispolk.com>, "marc.tobak@davispolk.com" <marc.tobak@davispolk.com>, "jselendy@selendygay.com" <jselendy@selendygay.com>, "pselendy@selendygay.com" <pselendy@selendygay.com>, "kcornish@selendygay.com" <kcornish@selendygay.com>, "ctobler@selendygay.com" <ctobler@selendygay.com>, "kyerdon@selendygay.com" <kyerdon@selendygay.com>, "steve@shoemakervillage.org" <steve@shoemakervillage.org>, "chris@shoemakervillage.org" <chris@shoemakervillage.org>

**Attachments:** None

**Date:** Wed, 17 Sep 2025 21:59:04 +0000

**Message-ID:** <CH2PR13MB35119D2F7B0DC129C7DACDD5B817A@CH2PR13MB3511.namprd13.prod.outlook.com>

Dear Ms. Ebanks:

We write pursuant to Local Rule 7007-1(b) and Judge Lane's Chambers Rules to request a discovery conference regarding a document subpoena served by the Debtors on Jefferies Leveraged Credit Products, LLC ("Jefferies") in Adv. Proc. No. 25-01111 (SHL). Jefferies has made a good faith effort to resolve this issue with counsel for the Debtors, the requesting party, prior to raising them with the Court.

The document subpoena, which was initially served on September 9, 2025 in advance of a then-scheduled hearing to be held on September 15, 2025, seeks production of an agreement between Jefferies and an entity affiliated with Chris and Stephen Sokolowski, parties-in-interest. The Sokolowskis have advised Jefferies that they object to the production of the agreement pursuant to the confidentiality provision contained in the agreement. We understand that the Sokolowskis have written to the Court seeking relief with respect to the subpoena. ECF No. 23. The subpoena originally had a return date of September 11, 2025. However, the September 15th hearing was removed from the calendar, thereby mooted the exigency of the return date. Yesterday Debtors' counsel advised us that the Debtors are seeking compliance with the subpoena by today in connection with a filing they plan to make next Monday.

Given the Sokolowskis' objections to Jefferies producing the document and their pro se filing seeking relief with respect to the subpoena, Jefferies is reluctant to produce the document prior to the Court addressing the Sokolowskis'

application. Thus, Jefferies respectfully requests that it be permitted to defer compliance with the subpoena until the Court has reviewed and decided the Sokolowskis' application. Counsel for the Debtors, the requesting party, takes the position that Jefferies should be required to produce the agreement pursuant to the Debtors' subpoena.

Respectfully,

Michael T. Mervis  
Member of the Firm  
Litigation Department Vice Chair  
Bankruptcy Litigation Group Head

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\*\*\*\*\*  
\*\*\*\*\*

# Exhibit H

# Adv. Proc. 25-01111 - Debtors' Subpoenas

<b>From:</b>	"Stephen Sokolowski" <steve@shoemakervillage.org>
<b>To:</b>	"Kayleigh Yerdon" <kyerdon@selendygay.com>
<b>Attachments:</b>	None
<b>Date:</b>	Wed, 10 Sep 2025 09:09:58 -0400
<b>Message-ID:</b>	<6910ef8d-fa5a-41df-b469-8dd2b23f1308@shoemakervillage.org>

Ms. Yerdon,

Under local rule 7007-1(a) and Judge Lane's discovery dispute procedures, we ask that you withdraw or hold in abeyance the subpoenas you caused to be issued on September 8, returnable September 11.

No Rule 26(f) conference has occurred and no order authorizes expedited discovery. Judge Lane earlier denied a similar request for discovery after the Debtors requested it on August 21. We object to early discovery in this adversary proceeding and to any live witness at the September 15 hearing, which the Court set to proceed without discovery.

Absent withdrawal, please confirm that you consent to a temporary standstill while we request a chambers discovery conference pursuant to LBR 7007-1(b). We reserve all rights under Rules 26 and 45.

Thanks,

-Steve Sokolowski