

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

STEPHEN H. SOKOLOWSKI and
CHRISTOPHER H. SOKOLOWSKI,

Plaintiffs

v.

DIGITAL CURRENCY GROUP, INC., BARRY
E. SILBERT, and SOICHIRO “MICHAEL”
MORO,

Defendants.

Case No. 3:25-cv-00870

August 28, 2025

**DEFENDANTS’ RESPONSE TO PLAINTIFFS’ MOTION TO STAY
PROCEEDINGS**

For the reasons and to the extent described below, Defendants Digital Currency Group, Inc., Barry E. Silbert, and Soichiro “Michael” Moro do not oppose Plaintiffs’ Motion to Stay Proceedings (the “Motion” or “Mot.”; ECF No. 2)¹ pending the resolution of Plaintiffs’ first-filed action, *Sokolowski et al. v. Digital Currency Group, Inc. et al.*, Civil Action No. 4:25-cv-00001 (M.D. Pa.) (the “MDPA Action”). As Plaintiffs’ Motion explicitly admits, Plaintiffs’ MDPA Action against the same defendants is “substantially identical” to this action (Mot. at 4-5). Plaintiffs filed the instant, duplicative lawsuit almost five months after initiating the MDPA Action solely in an attempt to preserve Connecticut law claims and do not actually

¹ All citations to Plaintiffs’ Motion refer to the page numbers of Plaintiffs’ Memorandum of Law in Support of Motion to Stay Proceedings (ECF No. 2).

intend to litigate this action unless and until the MDPA Action is dismissed for lack of personal jurisdiction (*id.* at 2-3).

There are grounds to dismiss this action under the first-filed doctrine, *see First City Nat. Bank & Tr. Co. v. Simmons*, 878 F.2d 76, 80 (2d Cir. 1989) (affirming dismissal of later-filed action where plaintiff “merely speculate[d] that it may be denied relief” by court in first-filed action), and Plaintiffs argue that the Court can and should dismiss this action without prejudice (Mot. at 8).

In any event, the Court should either dismiss this action outright, or otherwise should stay this action as set forth in Plaintiffs’ motion.

Respectfully submitted,

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