

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COINLAB, INC., a Delaware Corporation,

Plaintiff,

v.

MT. GOX KK, a Japanese corporation, and
TIBANNE KK, a Japanese corporation,

Defendants.

No. 2:13-cv-00777-MJP

**NOTICE OF BANKRUPTCY FILING
AND TEMPORARY STAY**

PLEASE TAKE NOTICE that on about February 28, 2014 defendant Mt. Gox KK, a Japanese corporation located in Japan, filed a proceeding ("the Japanese Proceeding") before the Tokyo District Court under the bankruptcy laws of Japan. On March 9, 2014 Mt. Gox KK filed a Verified Petition for Recognition and Chapter 15 Relief in the United States Bankruptcy Court for the Northern District of Texas, Case No. 14-31229-15 ("Texas Bankruptcy Court") for, among other things, recognition of the Japanese Proceeding.

On March 10, 2014, the Texas Bankruptcy Court entered an Order Granting Application for Provisional Relief, Scheduling Recognition Hearing, and Specifying Form and Manner of Notice ("Order"). A true and correct copy of the Order is attached as

*Notice of Bankruptcy Filing and Temporary Stay -
(2:13-cv-00777-MJP) - 1*

HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
Seattle, Washington 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1 **EXHIBIT A.** Pursuant to Sec. 1 (page 3) of the Order, the automatic stay provisions of section
2 362(a) of the Bankruptcy Code, 11 USC sec. 362(a), are applicable to Mt. Gox KK and its
3 assets in this matter.
4

5 Pursuant to LCR 89, it is the position of Defendants that while the Order does not
6 currently extend the automatic stay provisions of section 362(a) to defendant Tibanne KK, the
7 remaining defendant in this action, nothing in the Order prevents this Court from staying this
8 matter, either in it entirety or as to the claims asserted against Tibanne KK, under the Court's
9 inherent powers; or, taking any action that is consistent with purposes and intent underlying
10 the bankruptcy laws governing the bankruptcy filings of Mt. Gox KK in the Texas
11 Bankruptcy Court or Japan Proceeding.
12

13 DATED this 18th day of March, 2014.
14

15 BAKER & MCKENZIE LLP
16 (Admitted *pro hac vice*)
17 Tod L. Gamlen
18 Daniel G. Valles
19 Baker & McKenzie LLP
20 660 Hansen Way
21 Palo Alto, CA 94304
22 Telephone: (650) 856-2400
23 Facsimile: (650) 856-9299
24 Email: Tod.Gamlen@bakermckenzie.com;
25 daniel.valles@bakermckenzie.com

26 HILLIS CLARK MARTIN & PETERSON P.S.

27 By s/ Louis D. Peterson
28 Louis D. Peterson, WSBA #5776
Joseph B. Genster, WSBA #14968
Hillis Clark Martin & Peterson P.S.
1221 Second Avenue, Suite 500
Seattle WA 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789
Email: ldp@hcmp.com; jbg@hcmp.com
Attorneys for Defendant Mt. Gox KK

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 18th day of March, 2014, I electronically filed the
3 foregoing with the Clerk of the Court using the CM/ECF system which will send notification
4 of such filing to the following:
5

6 Lindsey N Godfrey - lngodfrey@susmangodfrey.com,ahightower@susmangodfrey.com

7 Edgar Guy Sargent - esargent@susmangodfrey.com,ahightower@susmangodfrey.com

8 Floyd G Short - fshort@susmangodfrey.com,ahightower@susmangodfrey.com

9 Roger M Townsend - rtownsend@bjtlegal.com,mvizzare@bjtlegal.com,admin@bjtlegal.com

10 Kristin Malone kmalone@susmangodfrey.com, ahightower@susmangodfrey.com

11
12
13 DATED this 18th day of March, 2014 at Seattle, Washington.

14
15 By s/ Louis D. Peterson
16 Louis D. Peterson, WSBA #5776
17 1221 Second Avenue, Suite 500
18 Seattle WA 98101-2925
19 Telephone: (206) 623-1745
20 Facsimile: (206) 623-7789
21 Email: ldp@hcmp.com

22
23
24
25
26
27
28
29 Notice of Bankruptcy Filing and Temporary Stay.docx