

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

BF LABS, INC., *et al.*

Defendants.

CASE NO. 4:14-cv-00815-BCW

**PLAINTIFF'S MOTION TO FOR ADDITIONAL PAGES FOR PROPOSED FINDINGS
OF FACT AND CONCLUSIONS OF LAW**

Plaintiff, the Federal Trade Commission ("FTC"), respectfully moves the Court for leave to file its proposed Findings of Fact and Conclusions of Law ("Proposed Findings") in excess of the Court's ten-page limit. Specifically, the FTC requests an additional ten pages. In support of this Motion, the FTC states the following:

1. At the conclusion of the preliminary injunction hearing conducted on November 24 and 25, 2014, the Court requested that the parties submit proposed findings of fact and conclusions of law not to exceed ten pages (not counting the text of the proposed preliminary injunction order).

2. The FTC has made every effort to be both brief and complete in its Proposed Findings as requested by the Court. Due to the breadth of this action, the relief requested, and the fact that the FTC bears the burden of proof, however, a fair presentation of the findings of fact and conclusions of law requires greater length than permitted. Here, in support of its requested preliminary injunction, the FTC is submitting detailed findings of fact and conclusions of law that demonstrate: (1) the appropriate standard for obtaining preliminary injunctive relief;

(2) that the FTC has shown a likelihood of success on the merits, specifically that Defendants made misrepresentations regarding delivery and profitability of their Bitcoin mining machines in violation of Section 5 of the FTC Act as alleged in the Complaint; (3) that the balance of equities favors preliminary injunctive relief; (4) that the individual defendants are liable for injunctive relief; (5) that the individual defendants are liable for equitable monetary relief; (6) that the asset freeze over Defendants should continue; and (7) that the receivership over Defendant BF Labs should continue.

WHEREFORE, the FTC respectfully requests this Court to allow the FTC an additional ten (10) pages for its proposed findings of fact and conclusions of law for a total not to exceed 20 pages (not counting the actual text of the preliminary injunction order).

Respectfully submitted,

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General Counsel

Dated: December 1, 2014

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 1, 2014, a true and correct copy of the foregoing was filed electronically with the United States District Court for the Western District of Missouri using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/ Gregory A. Ashe
Attorney for Plaintiff Federal Trade Commission