

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 1:23-CV-21023-CMA

EDWIN GARRISON, *et al.*, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

KEVIN PAFFRATH, GRAHAM
STEPHAN, ANDREI JIKH, JASPREET
SINGH, BRIAN JUNG, JEREMY
LEFEBVRE, TOM NASH, BEN
ARMSTRONG, ERIKA KULLBERG,
CREATORS AGENCY, LLC,

Defendants.

NOTICE OF PROOF OF SERVICE AND MATERIALS FOR SHOW CAUSE HEARING

In accordance with the Order of the Court [ECF No. 12], Plaintiffs hereby provide proof of service on Defendant, Ben Armstrong (in both the *Paffrath* and *Zhao* class action matters, as explained below), so this Court can set a hearing to address the “serious matters” of Armstrong’s conduct to date. *See* ECF No. 12. After many weeks of evading service — but continuing to make ***daily violent threats*** towards Undersigned Counsel and plaintiffs — here is actual video of Defendant Armstrong finally accepting service this morning:

<https://www.youtube.com/shorts/nW8SFEmi6AM>

Mr. Ben Armstrong, a Youtuber who self-proclaims to be the “People’s Champ,” but has a demonstrated history of earning great amounts of money at the expense of his unsuspecting social media followers, has been named in two separate class actions pending in this Court for his role in soliciting the sale of unregistered securities: *Garrison, et al. v. Paffrath, et al.*, No. 1:23-cv-21023

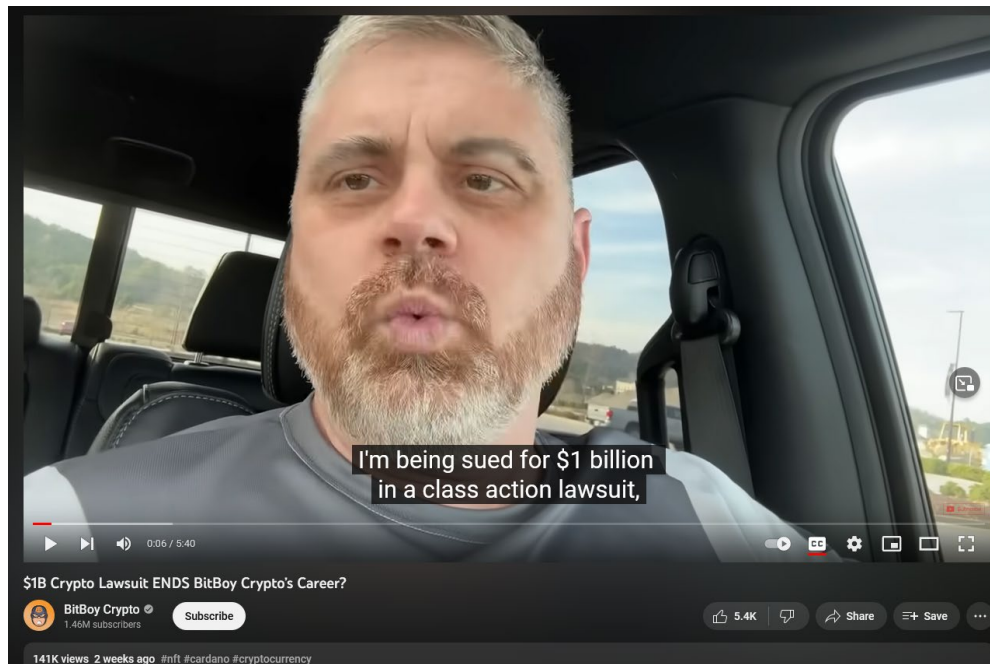
(S.D. Fla.) (Altonaga, C.J.) (“*Paffrath*”) and *Sizemore, et al. v. Changpeng Zhao, et al.*, No. 1:23-cv-21261 (S.D. Fla.) (Altman, J.) (“*Zhao*”).

In *Paffrath*, filed on March 15, 2023, Armstrong is alleged to have personally financially gained for promoting \unregistered securities in connection with FTX’s offering of, among other things, FTT (the native cryptocurrency token of FTX).

Similarly, in *Zhao*, recently filed March 31, 2023, Armstrong is again alleged to have been paid to promote unregistered securities in connection with Binance’s offering of, among other things, BNB (the native cryptocurrency token of Binance), and was a co-conspirator in Binance’s scheme to circumvent the U.S. regulatory system through coaching Binance customers to utilize VPNs to access Binance’s international platform, which is otherwise restricted to U.S. investors.

A. Armstrong’s Contemptable Conduct.

The very day after Paffrath was filed, Armstrong publicly confirmed he had actual notice of the suit against him, and began posting videos on the allegations against him:¹



¹ <https://www.youtube.com/watch?v=dp1F5lJUBf4> (accessed April 5, 2023).

As explained in the Notice of Filing and Request for Status Conference filed on March 20, 2023, in *Paffrath*, ECF Nos. 4–5, copies of which are attached,² Armstrong immediately began attacking Plaintiffs’ counsel and their families. The scope of the attacks (including death threats), which examples are provided in those filings and which continue on a daily basis since, necessitated Undersigned Counsel to open an FBI investigation into Armstrong, as well as the investigation files by local police authorities for Plaintiffs’ counsel and their families. Chief Judge Altonaga in the *Paffrath* matter granted Plaintiffs’ emergency request the very same day, referring the matter to Magistrate Judge Damian to take all necessary action. *Paffrath*, ECF No. 6.

That evening, Armstrong responded to the service email sending the Notice of Filing and Request for Status Conference, levying more threats and hurling additional insults.³

From: [ben.armstrong](#)
To: [Rajane Passos](#)
Cc: [Adam Moskowitz](#); [Joseph Kayer](#); [Barbara C. Lewis](#); [Howard Bushman](#); [sgg@grossmanroth.com](#); [aag@grossmanroth.com](#); [sdp@grossmanroth.com](#); [dBoies@bsfilo.com](#); [ABoies@bsfilo.com](#); [karlsen@bsfilo.com](#); [ashaw@bsfilo.com](#); [tulrich@bsfilo.com](#); [mavala@bsfilo.com](#); [balexander@bsfilo.com](#); [Jose Ferrer](#); [Michelle Genet Bernstein](#)
Subject: Re: SERVICE OF COURT DOCUMENT - Activity in Case 1:23-cv-21023-CMA Garrison et al v. Paffrath et al
Date: Monday, March 20, 2023 5:38:23 PM
Attachments: [D.F. & Notice of Filing Material re Armstrong's Harassment Towards Plaintiffs' Counsel.pdf](#)
[D.F. 5 Pt's Request for a Status Conference to Bring Awareness of Armstrong's Harassment Towards Plaintiffs' Counsel.pdf](#)

Hey all

Just wanted to let you all know that I received this notice and I couldn't be happier!

You are all so kind to let me know that you are all dumb mother fucking cunts! I've been waiting on this so I can file my countersuit. You are ALL FUCKED.

I'm going to not only sue you and win easily, but I'm coming for all your fucking licenses. You don't understand who you have fucked with. But you will.

Thank you,

Ben Armstrong

On March 26, 2023, Plaintiffs’ counsel served a Notice of Commencement of Action and Request for Waiver of Service on Defendant Armstrong in response to Armstrong’s “Daily reminder you are a p***y” email, to which Armstrong responded “Oh don’t worry. It will be returned this week. I can’t wait.”⁴

² See **Exhibit A** and **Exhibit B**.

³ See **Exhibit C**.

⁴ See **Exhibit D**.

Rather than return any Waiver, on March 29, 2023, Plaintiffs' counsel received an email from a Mr. Lionel Iruke, who purports to be "General Counsel with Bitboy Crypto, making a limited appearance on behalf of Ben," who inquired as to why Armstrong was included in the *Paffrath* suit.⁵ To date, Armstrong nor his alleged counsel, have ever responded with the Waiver as he indicated he would.

True to form, shortly after *Zhao* was filed, Armstrong began tweeting to his millions of followers more insults and threats to Plaintiffs' counsel, while clearly acknowledging his actual receipt and awareness of the new lawsuit.⁶



On April 3, 2023, Plaintiffs' counsel again sent to Armstrong and Mr. Iruke the Notice of Commencement of Action and Request for Waiver of Service forms for the *Zhao* action.⁷

⁵ See **Exhibit E**.

⁶ https://twitter.com/Bitboy_Crypto/status/1642738389748178945 (accessed April 5, 2023).

⁷ See **Exhibit F**.

This time, rather than respond to the email as he did in *Paffrath*, Armstrong stuck to posting more Twitter insults and attacks about Plaintiffs' counsel:⁸

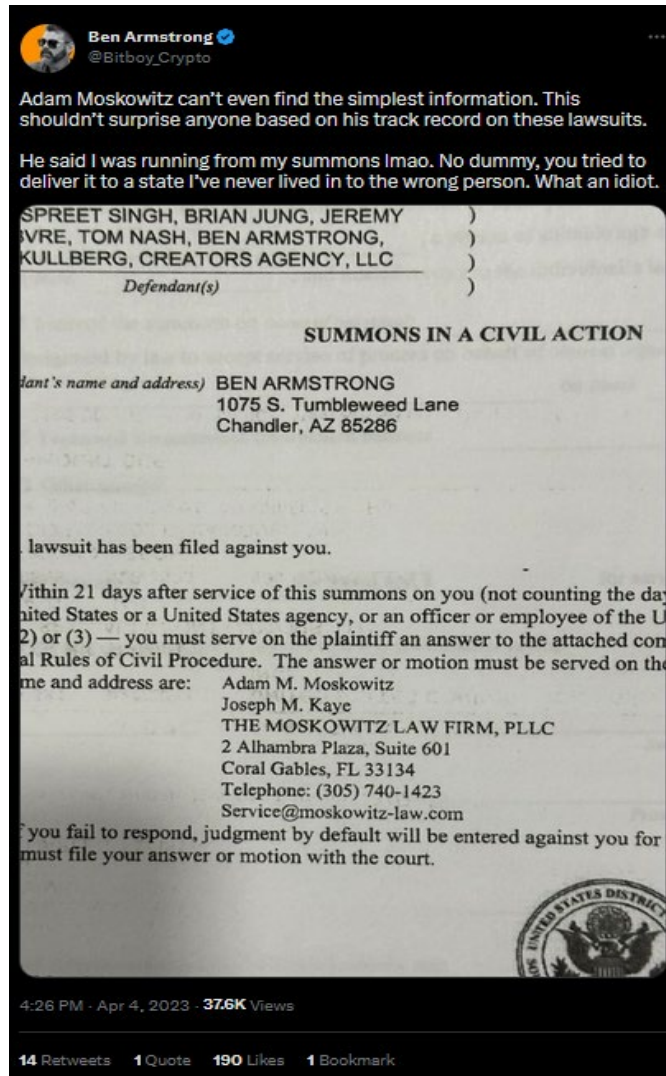


⁸ https://twitter.com/Bitboy_Crypto/status/1643091684224368640;
https://twitter.com/Bitboy_Crypto/status/1643086108140371971;
https://twitter.com/Bitboy_Crypto/status/1643087145593192448

Contrary to what he was boasting to his millions of twitter followers, it appeared that Mr. Armstrong had no intention of willingly appearing in this federal court matter. Therefore, Plaintiffs attempted service at Armstrong's residence, at 4944 Oglethorpe Loop NW, Acworth, GA 30101. Armstrong instructed the guard at the gate to refuse entry.

Attempt was also made at his BitBoy store, located at 3102 Cobb Parkway NW, Kennesaw, GA 30144. Armstrong's assistant accepted service on his behalf at 3:39pm. In an abundance of caution, the process server waited and observed the store from 4:20pm to 6:00pm. At 6:00pm, Armstrong's "partner" told the process server that Armstrong was filming and could not come out, but that Armstrong would "make sure that he will be available tomorrow at 12:00pm." However, at 4:26pm, ostensibly during the time when Armstrong was "filming," he tweeted a picture of the summons from *Paffrath*, acknowledging that he was in possession of the materials served on his assistant less than an hour before:⁹

⁹https://twitter.com/Bitboy_Crypto/status/1643349356655853568?ext=HHwWgIC21Y7irM4tAAA (accessed April 5, 2023). The *Paffrath* summons has an Arizona address that came up in a skip trace as the most recent for Ben Armstrong with a birthdate of October 27, 1982, but service attempts have been made in Georgia at addresses attributed to Defendant Armstrong since issued.



Thus, not only was service in *Paffrath* and *Zhao* effectuated on Armstrong through serving his agent designated to accept service of process, Armstrong quickly confirmed that he did, in fact, receive actual notice of the summonses and complaints from these actions and has been participating in these litigations now for weeks.

On March 16, 2023, the morning after *Paffrath* was filed, Armstrong issued a public statement to reporters illustrating that he had read the Complaint and did not agree with the

allegations.¹⁰ The truth as set out in publicly available evidence to date, however, reveals that Defendant Armstrong has long promoted FTX, FTT and Sam Bankman-Fried to his millions of followers, and is indisputably an affiliate marketer of Binance (for which he derives personal financial gain), with his own Referral Code for the Binance Platforms, and has also created various content over the years promoting Binance, BNB, and the other unregistered securities Binance offers and sells, all for personal, financial gain, often at the expense of his many followers.

On April 5, 2023, Armstrong was finally personally served with both the *Paffrath* and *Zhao* complaints at his BitBoy Crypto office. He responded via a video he asked the server to film when service was effected: “Fuck you. I received this paperwork. I love it. I am going to bury you.”

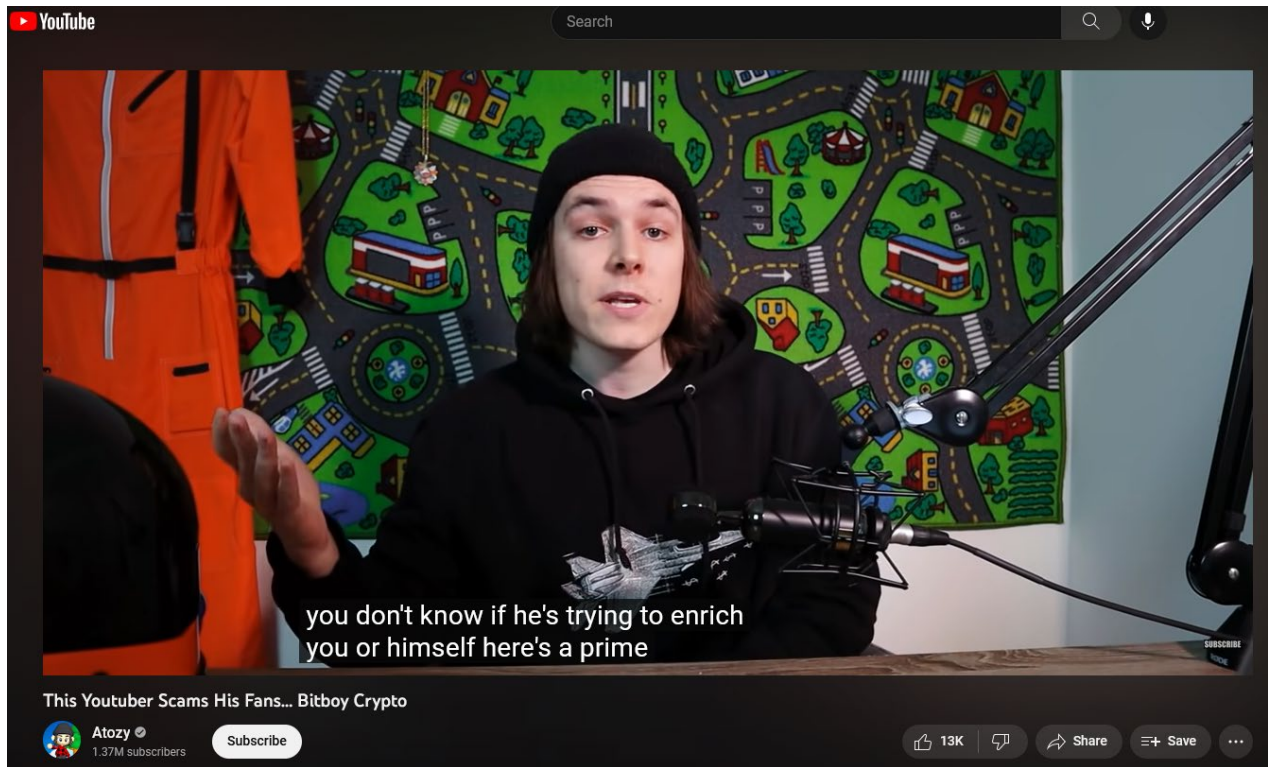
B. Armstrong’s History of “Shilling” Crypto Coins to his Followers for Pay and Then Attempting to Conceal the Evidence.

There can be no dispute that billions of dollars have already been stolen from proposed class members in the FTX, Voyager, and Binance cryptocurrency disasters. With all of the federal bankruptcies, most of these victims may only see recoveries from those aiders and abettors, who promoted these unregistered securities for their own financial gain.¹¹ Many social media influencers have already documented Mr. Armstrong’s long history of specifically promoting unregistered cryptocurrency tokens.

¹⁰ <https://decrypt.co/123810/youtube-influencers-bitboy-1-billion-lawsuit-ftx> (accessed April 5, 2023).

¹¹ As outlined in great detail in the Complaints, all of these crypto companies knew the only way to compete, and greatly expand into the billions of dollars, was to establish an intricate number of Affiliated Programs established in the typical pyramid structure. They also retained the most well-known and world-famous celebrities to tout their unregistered products. No better example can be the Cleo Award winning “I’m all in” and “Don’t Miss out in Crypto” advertising campaigns created by DentsMB. Plaintiffs certainly intend to serve much third-party discovery to ensure that each and every liable promoter of these unregistered securities is held accountable.

Atozy, a YouTube Internet personality, posted an 11-minute video on November 8, 2021, to his over 1.37 million followers that details how Armstrong has “one of the largest crypto channels but has also been known for being a shady dirtbag who milks his audience for a quick buck rather than giving them genuine advice.”¹²

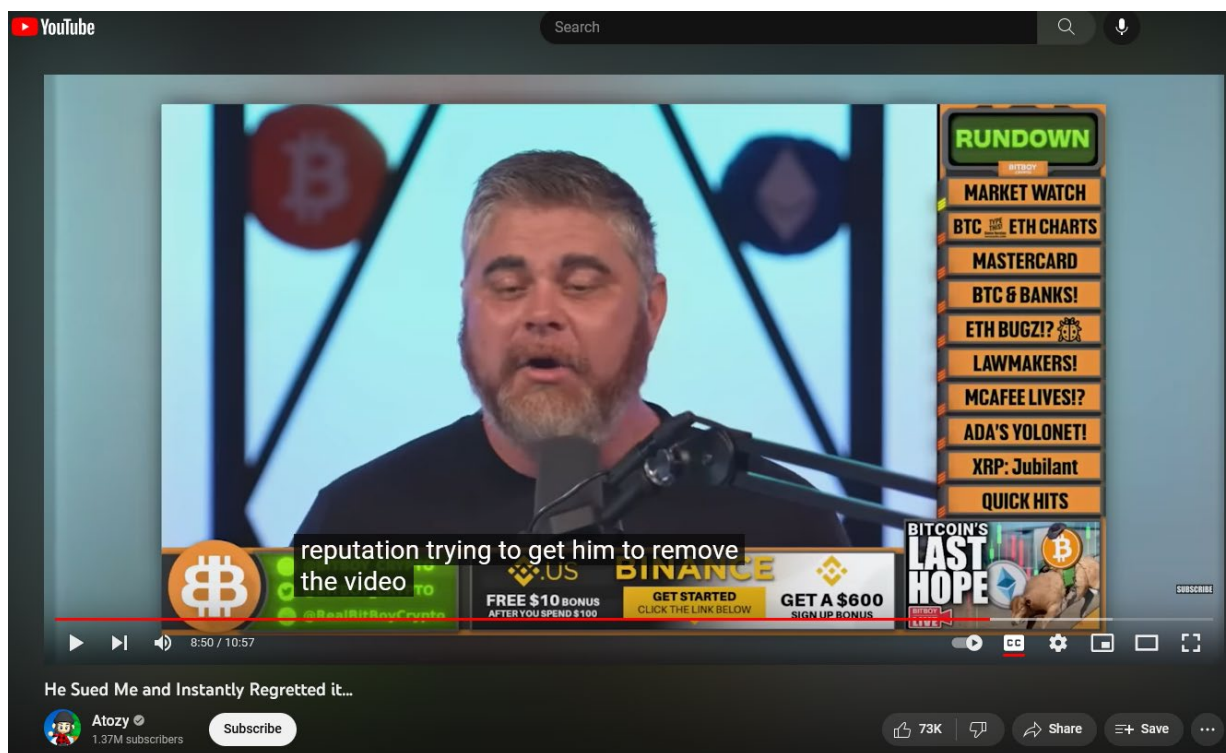


Atozy details Armstrong’s vigorous promotion of the “PAMP” network, which Armstrong claimed was “guaranteed” to go up in value, but which quickly tanked when the truth was finally revealed *after* Armstrong made his promotions, alleging that Armstrong was paid to “shill” the project to his fans so that the project owners could create “exit liquidity” so they could effectuate the rug pull.¹³ While Plaintiffs will not detail the entire 11 minute video in this brief, it is certainly worth a watch to fully understand Armstrong’s method of doing “business.”

¹² <https://www.youtube.com/watch?v=DibvroDcT88> (accessed April 5, 2023).

¹³ *Id.*

Consistent with his character, after Atozy released this video, Armstrong quickly threatened and sued Atozy, claiming Atozy “defamed” him with his video exposing his fraudulent activities.¹⁴ Armstrong apparently did not realize that the lawsuit would become public, and once it did (and the public supported Atozy through crowdfunding hundreds of thousands of dollars to fund his defense), Armstrong was required to drop the lawsuit, admitting that the only reason he filed the suit was because he was “trying to get [Atozy] to remove the video” from YouTube.¹⁵



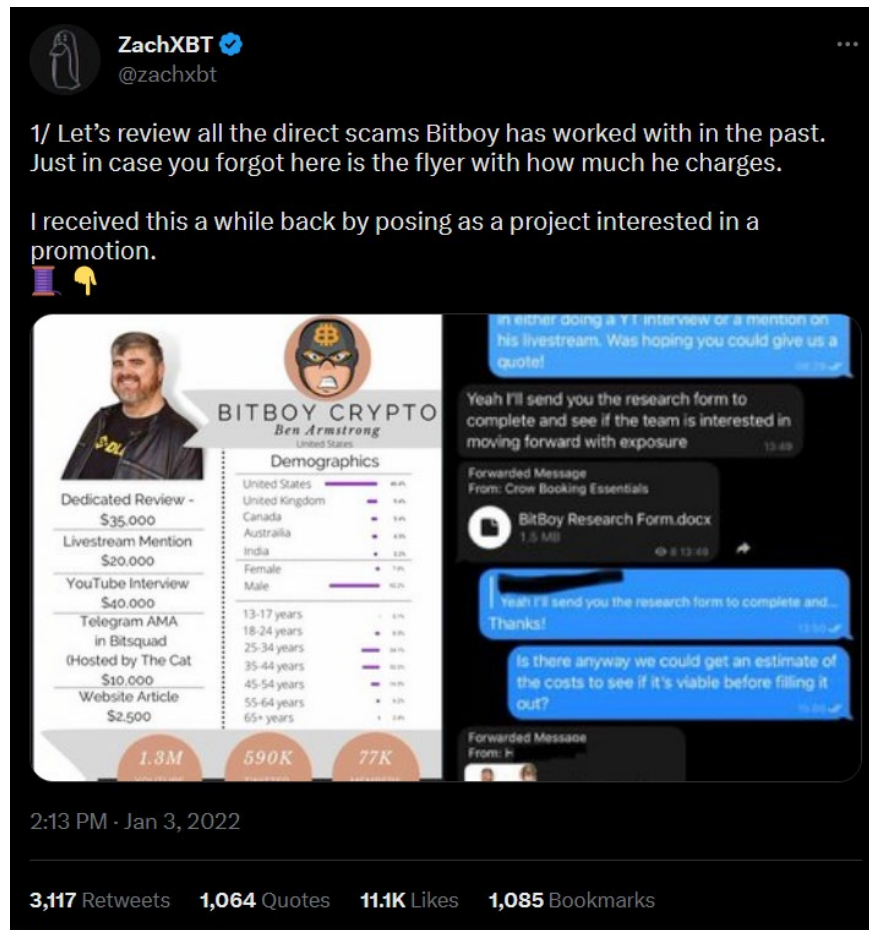
Atozy is not the only online personality to expose Armstrong’s misconduct. Twitter personality “@ZachXBT,” who calls himself an “On-chain sleuth” released a series of Tweets that document the “direct scams” Defendant Armstrong worked with as of January 3, 2022.¹⁶

¹⁴ <https://www.youtube.com/watch?v=MJPvipmLq2I> (accessed April 5, 2023).

¹⁵ <https://www.youtube.com/watch?v=MJPvipmLq2I> (accessed April 5, 2023).

¹⁶ <https://twitter.com/zachxbt/status/1478082010807742468> (accessed April 5, 2023)

The thread begins with a flyer he received from Defendant Armstrong’s team in response to his request for a quote to do a YouTube interview or receive a mention on Armstrong’s livestream. The flyer, in addition to including statistics showing that the vast majority of his millions of followers target American men aged 25-54, details that Armstrong charges \$20,000 to simply mention a crypto project on his livestream, and \$35,000 to do a dedicated review of a crypto project.¹⁷



¹⁷ *Id.*



BITBOY CRYPTO

Ben Armstrong

United States

Demographics

United States 46.4%

United Kingdom 9.4%

Canada 5.4%

Australia 4.5%

India 3.2%

Female 7.8%

Male 92.2%

13-17 years 0.1%

18-24 years 8.5%

25-34 years 34.1%

35-44 years 32.2%

45-54 years 16.5%

55-64 years 6.2%

65+ years 2.4%

Dedicated Review -
\$35,000

Livestream Mention
\$20,000

YouTube Interview
\$40,000

Telegram AMA
in Bitsquad
(Hosted by The Cat)
\$10,000

Website Article
\$2,500

1.3M

YOUTUBE
SUBSCRIBERS

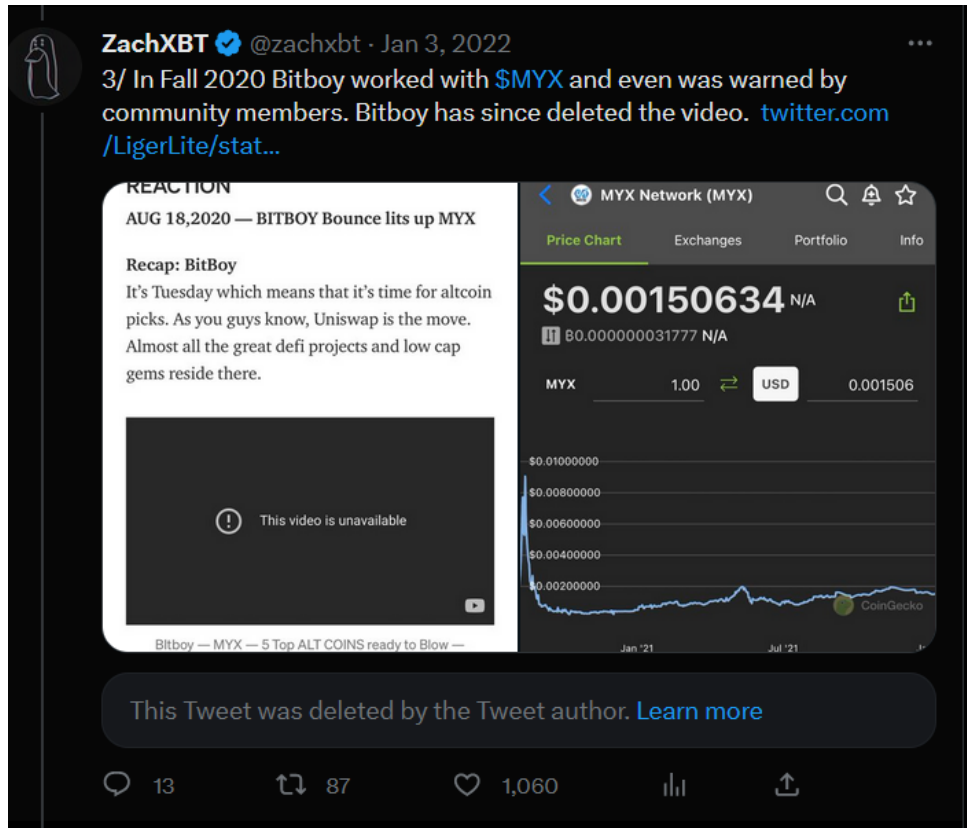
590K

TWITTER
FOLLOWERS

77K

MEMBERS
(TELEGRAM)

After noting that Armstrong claimed he “personally rigorously vet[s] all paid promotions,” @ZachXBT catalogues 7 crypto projects that Defendant Armstrong “actively worked with and promoted to his audience,” demonstrating that, for each of the projects, Armstrong went back and either attempted to delete the evidence that he shilled the project to his followers or altered posts to attempt to minimize his promotion of the failed project:¹⁸



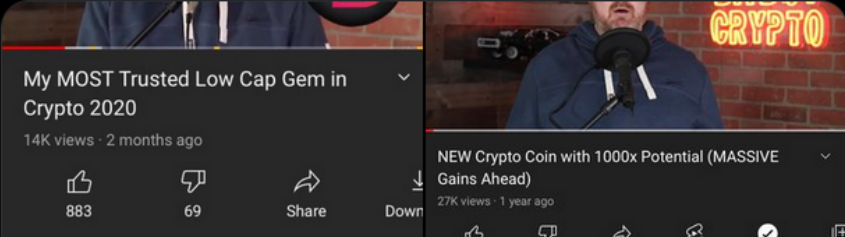
¹⁸ *Id.*

ZachXBT @zachxبت · Jan 3, 2022

4/ Also in fall 2020 Bitboy worked with \$DISTX a video he titled "my most trusted coin"

He went on to change the video title later on. The video also had zero promotion disclosure & project exit scammed.

The video is still up but don't worry it has been archived safely by me.



Check out \$DISTX. Their presale crushed it.

Trying to make token pre-sales safer

This account doesn't exist

20 104 1,221

ZachXBT @zachxبت · Jan 3, 2022

5/ Now we have Zao Finance another project that exit scammed in Fall 2020.

He deleted the tweet but don't worry I recovered it.

At least he put #ad on the scam right?



BitBoy @Bitboy_Crypto

ZAO FINANCE (ZAO)

We build a Decentralized Finance application to give you the most of financial Freedom. First Fully Women Empowered Decentralized Finance project.

and the Telegram community at [zaofinance](#)

resale is Live. #ad

2023 - 07 Sep 20 · Twitter for iPhone

This tweet was deleted by the tweet author. [Learn more](#)

Quellbrunn Elite @Prodylike

Replying to @Bitboy_Crypto and @ZaoFinance

What is **zao** doing right now? exit scamming?

[Learn more](#)

Tomer #3990 #CAC @TOMERAVRAHAM2

Replying to @Bitboy_Crypto

You shilled **ZAO** Finance a week ago, and they ran with the money you should be ashamed people believe in

6 82 1,118

ZachXBT @zachxbt · Jan 3, 2022


6/ Here's **\$SETHY** another scam Bitboy worked with in December 2020 that ended up rugging

Notice a pattern here with deleted videos?

@EthereumYield

We are very happy to see that @Bitboy_Crypto has dedicated their entire video to Ethereum Yield & Ethereum Stake!

Watch on Youtube:
youtube.com/watch?v=IWRjjM...

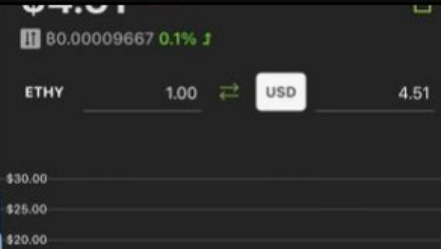


YouTube

This video is unavailable

80.00009667 0.1% ↑

ETHY 1.00 USD 4.51



10 84 1,051

ZachXBT @zachxbt · Jan 3, 2022

7/ Another one people forget about is **\$LOCK** (Meridian Network) a project he covered twice in late 2020.

The project's Twitter & Website are no longer there and once again Bitboy deleted his video on it.

Inread

Meridian Network (LOCK) \$0.300609



2 5

CryptoLovett "The LITbrarian" @cryptolovett

\$LOCK @networkmeridian was just talked about by @Bitboy_Crypto

youtu.be/ZIN3Tp-CIQw?t=...

SEND IT!!!!

10:05 - 8/11/20 - Twitter Web App



This video is unavailable

7 72 946

ZachXBT @zachxbt · Jan 3, 2022

8/ We have the **\$CPH** slow rug promoted by Bitboy (also deleted)

Coin was delayed for years and founder has sketchy past.

Search "\$cph scam" for more

Cypherium Blockchain
@CypheriumChain

I'd like to learn more about a **Cypherium** token sale check out the video done by **#BitBoy!**

https://youtu.be/Kqti_bihAWO

#Blockchain #Crypto

10/30/20 · TweetDeck

This video is unavailable

8 71 877

ZachXBT @zachxbt · Jan 3, 2022

9/ We also have **\$PAMP** another scam promoted by Bitboy. The video hasn't been deleted but is unlisted.

I've also downloaded this video.

@PampNetwork Video.
youtu.be/QxPJq9X8zWc

Bitboy quote about **\$PAMP**, "If you missed out on tezoz or chainlink, you dont want to miss out on pamp"

@RabbitHasShoes @realsch1
@uniswapico @ChainLinkGod
@mriherlin @IILucky!

\$PAMP 80.000000022441 -5.3% 1

PAMP 1.00 **USD** 0.001045

BitBoy Crypto
1.44M subscribers

Comments 188

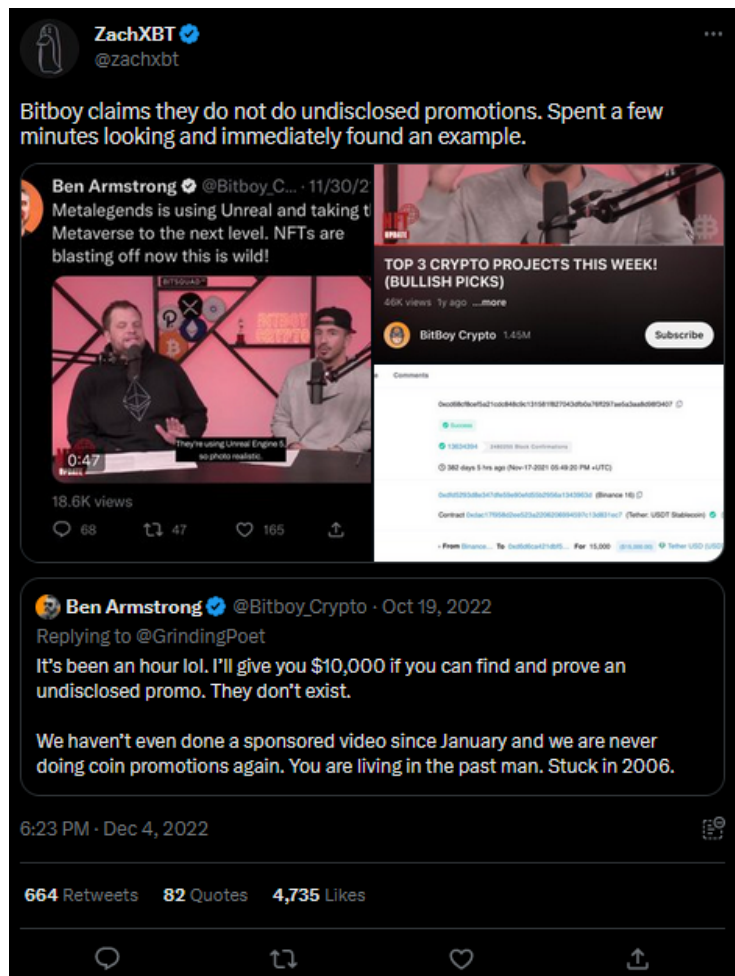
824 Dislike Share Downloaded Save

16 77 926

Were these facts exposed by @ZachXBT not clear enough indications of Defendant Armstrong’s public misconduct, @ZachXBT also publicly caught Armstrong red-handed for an undisclosed paid promotion of a cryptocurrency project, *which Armstrong publicly admitted, acknowledged, and paid @ZachXBT for exposing.*

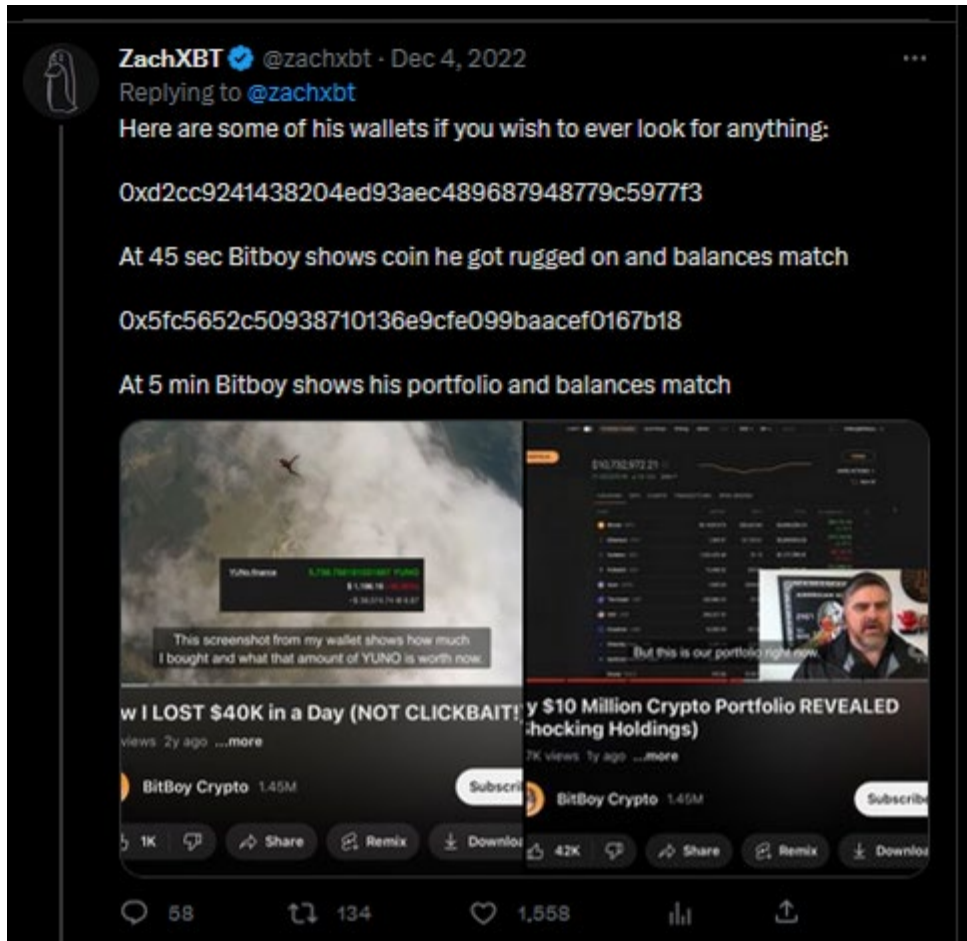
On October 19, 2022, Armstrong tweeted to another Twitter user, “I’ll give you \$10,000 if you can find and prove an undisclosed promo. They don’t exist.”¹⁹

On December 4, 2022, @ZachXBT took up the challenge, and within minutes found a clear example of Armstrong promoting a crypto project without disclosing he was paid to do so.²⁰



¹⁹ <https://twitter.com/zachxbt/status/1599545021887565824?lang=en> (accessed April 5, 2023).

²⁰ *Id.*



Armstrong then publicly admitted that @ZachXBT was correct, but claimed he was “shocked,” and went on to blame his employees for the “mistake.”²¹

²¹ *Id.*



Armstrong then paid @ZachXBT the \$10,000 he owed him for catching him.²²



²² *Id.*

C. Armstrong Publicly Promoted FTX, FTT, and Sam Bankman-Fried

Contrary to Defendant Armstrong’s public statements after *Paffrath* was filed, there is a wealth of public evidence that Armstrong specifically promoted FTX, FTT and Sam Bankman-Fried, all for financial gain, that he has not yet had a chance to delete from the internet (in all likelihood mostly because many other users have saved the information and are posting it themselves in response to his claims). Some of his admitted statements (which the record reflects he would not make without first being paid) include:



“Let’s talk about the secret token. FTT. That is the token of FTX. Sam Bankman-Fried, everything this man touches turns to gold.”²³

²³ <https://twitter.com/pchindle/status/1638298258077372416> (accessed April 5, 2023).



“FTT is potentially going to be one of the few coins I believe that could go up in the bear market. Now, I know that sounds crazy because I tell you hardly anything ever does.”²⁴



“We could see FTT just absolutely rip.”²⁵

²⁴ *Id.*

²⁵ *Id.*



In another video, which Defendant Armstrong titled “2 Crypto CRUSHERS!!! (Why I Put \$1 Million in These SECRET Altcoins),”²⁶ Armstrong claims to have put a half million dollars into FTT because “I got some information on [FTT] in the last 24-48 hours that made me just say man, I gotta go ham on these coins.”²⁷ Armstrong continued, explaining “Now, FTT, I said before this is going to be one of the number one coins we are going to accumulate in this bear market. But, got some inside info that this thing is about to explode in the next few weeks.”²⁸ He concluded

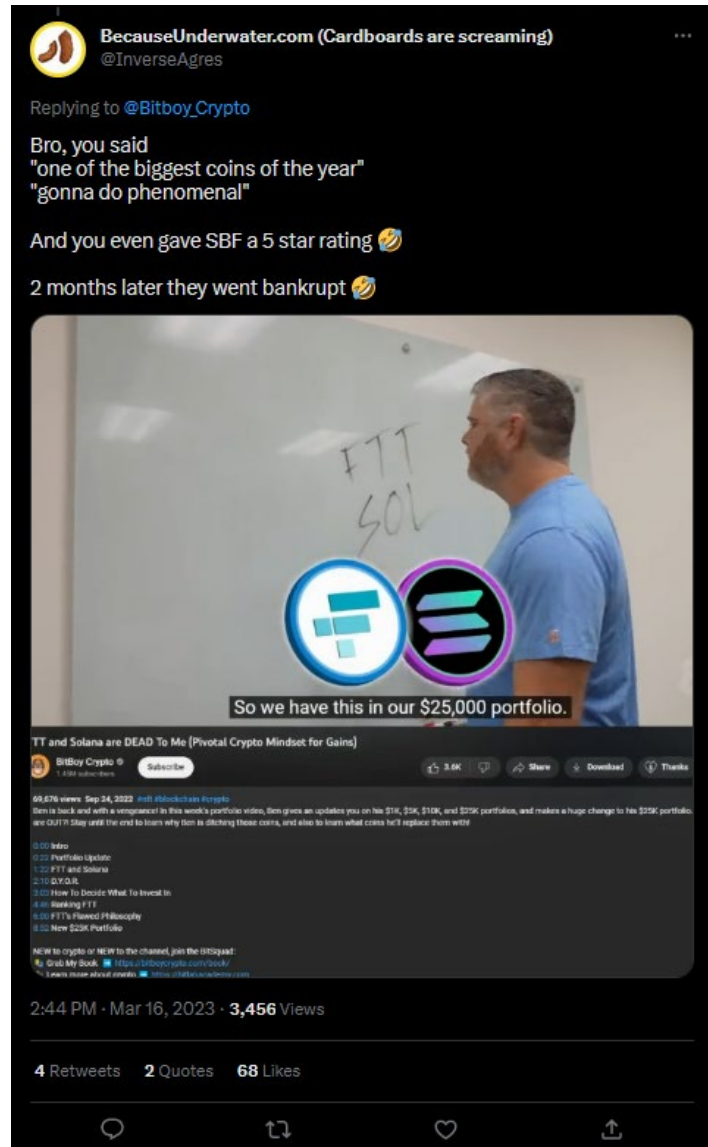
²⁶ https://twitter.com/808_CryptoBeast/status/1636445683975884801 (accessed April 5, 2023).

²⁷ *Id.*

²⁸ *Id.*

to his followers that they should “Look for [FTT], by Christmas, to absolutely moon. A lot of money is about to come pouring into FTX.”²⁹


Other users have been publicly calling Armstrong out since he has claimed he never promoted FTX or FTT, and was never paid to do so, including by identifying the agency that likely paid him, Coinbound.³⁰



²⁹ https://twitter.com/808_CryptoBeast/status/1636445683975884801 (accessed April 5, 2023).

³⁰ <https://twitter.com/InverseAgres/status/1636438351329804297> (accessed April 5, 2023); <https://www.youtube.com/watch?v=JrMOj0x6goI> (accessed April 5, 2023)

TBP @TheBitcoinPlebs · 4h
Replying to @Bitboy_Crypto



**3 Top Crypto Assets to Accumulate Forever!
(Greatest Long Term Holds for 2022)**

75K views · 9 mo ago #SAND #CRO #Altcoins ...more

 **BitBoy Crypto** 1.45M Subscribe

15 7 112 3,075

TBP @TheBitcoinPlebs · 4h
Replying to @TheBitcoinPlebs and @Bitboy_Crypto
FOREVER!

3 465

 **BecauseUnderwater.com (Cardboards are scr...** @InverseA... · 1h
Replying to @JDCovington21 and @Bitboy_Crypto

Bro read the suit even. It doesnt claim he was paid BY FTX. Only paid TO ENDORSE FTX.

What if, he was paid by coinbound.io/influencers/ to endorse FTT?



coinbound.io
Crypto Influencer Marketing Agency | Coinbound
Promote your cryptocurrency, blockchain, or web3 company with crypto influencers. Leading crypto influencer marketing agency

1 25

Armstrong has also publicly disclosed his own portfolio at times (which his followers would want to emulate based on Armstrong’s “success” and “saavy” in cryptocurrency investing), which shows that he purportedly held \$437,000 in FTT, one of his larger holdings:³¹

What’s in BitBoy Crypto’s portfolio?

BitBoy Crypto most recently revealed what was in his entire crypto portfolio earlier this year.

It is likely there have been multiple changes to his investments since his last update on March 27, 2022 due to the crash of the cryptocurrency market in May.

However, at the time, his portfolio and worth were as follows:

- 106.6 BTC – worth \$4.1million
- 1,152.9 ETH – worth \$3.36million
- 1,000,000 ADA – worth \$925,000
- 1,018,211 XRP – worth \$824,000
- 39,294 DOT – worth \$785,000
- 7,696 SOL – worth \$705,000
- 7,838 AVAX – worth \$67,000
- 3,655 EGLD – worth \$669,000
- 9,942 FTT – worth \$437,000
- 14,702 ATOM – worth \$409,573
- 788 BNB – worth \$310,000
- 40,756 RUNE – worth \$350,000
- 1,300,000 HBAR – worth \$218,000
- 400,000 MATIC – worth \$596,000
- 10,000 LINK – worth \$155,000
- 240,000 CRO – worth \$100,000
- 31,610 SAND – \$99,000
- 119,000 ALGO – worth \$95,000
- 25,000 CEL – worth \$83,000
- 33,000 IMX – worth \$75,000
- 2,406 CAKE – worth \$75,000
- 788 LUNA – worth \$67,000
- 3,000 THETA – worth \$10,000
- Unspecified amount of USDT, USDC, and GUSD – worth \$2.4million

And it should not be forgotten that Defendant Armstrong has said time and again that FTT is his “Top altcoin pick,”³² and has made numerous videos promoting the coin.³³

³¹ <https://24-7-crypto.com/bitboy-crypto-who-is-ben-armstrong-what-is-his-net-worth/> (accessed April 5, 2023); <https://techiegamers.com/bitboy-crypto-net-worth/> (accessed April 5, 2023)

³² <https://www.businessinsider.com/altcoins-to-buy-bull-run-bitboy-crypto-shares-biggest-bets-2021-12#> (accessed April 5, 2023).

³³ https://www.youtube.com/watch?v=9Dxu5c_2rMQ&t=234s (accessed April 5, 2023); https://www.youtube.com/watch?v=lvVZZZ_6Lh0 (accessed April 5, 2023)

BitBoy Crypto's Top altcoin picks

Armstrong's first pick is **FTX Token** (FTT). CEO Sam Bankman-Fried is the co-founder of this crypto-derivatives exchange platform, something that gives Armstrong confidence in the project.

He's anticipating a lot of upside potential for this digital asset because institutional investors are also considering adding it to their portfolios, he said.

FTT is trading at around \$51, according to CoinMarketCap, down 39% from its September peak of \$84.

"In general, a winning strategy or a winning formula is always buy in the red, sell in the green. So that does add a little bit of fuel to the fire for FTT," Armstrong said.

98,742 views Dec 30, 2021 #xrp #polkadot #crypto

You're standing in the aisle at the pop-up fireworks store, wondering which package of roman candles, bottle rockets and mortars are going to give you the most bang for your buck. Is it THIS ONE.... Or maybe THIS ONEoh wait...no...DEFINITELY THIS ONE . You want your new year to be epic and full of fun and excitement that carries you through January and hopefully into the gym past March. But you also want your crypto portfolio to have some shock and awe as well. The economic skies might be cloudy, but that just means picking the right tokens will let your neighbors know your making the big gains.

Timestamps:
0:00 Intro
1:05 Acala
2:32 XRP
3:54 FTT
4:53 Phantasma
5:58 Raydium

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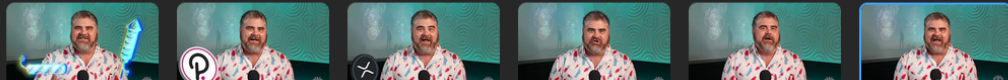
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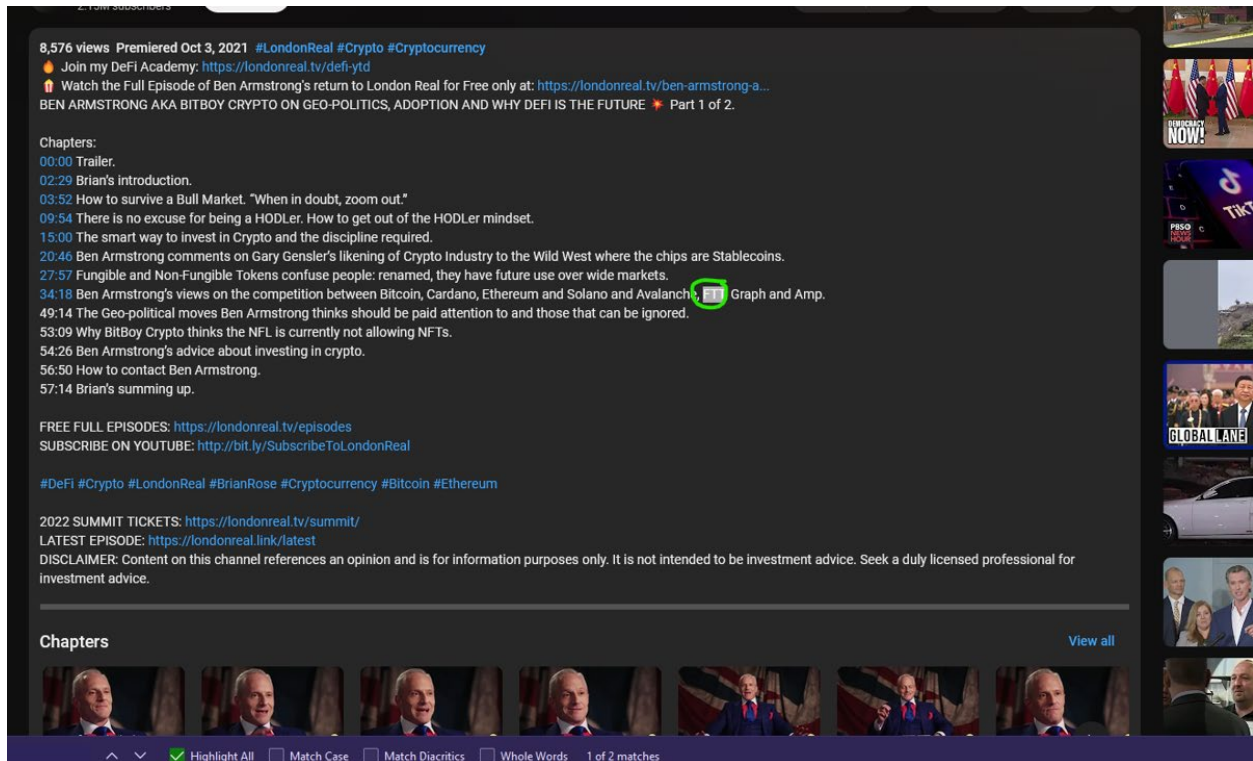
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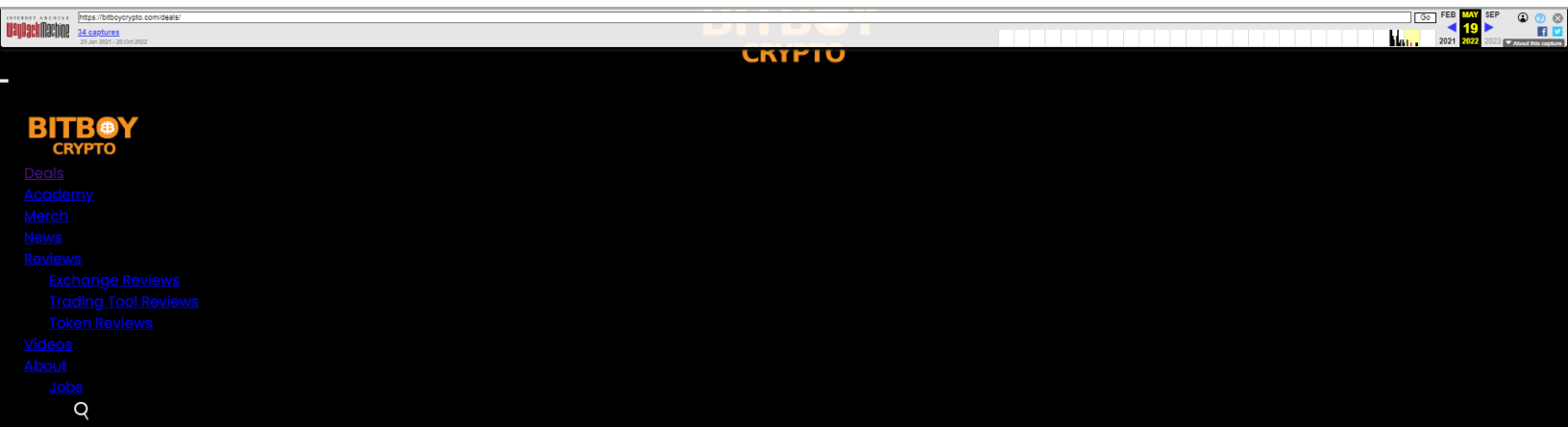




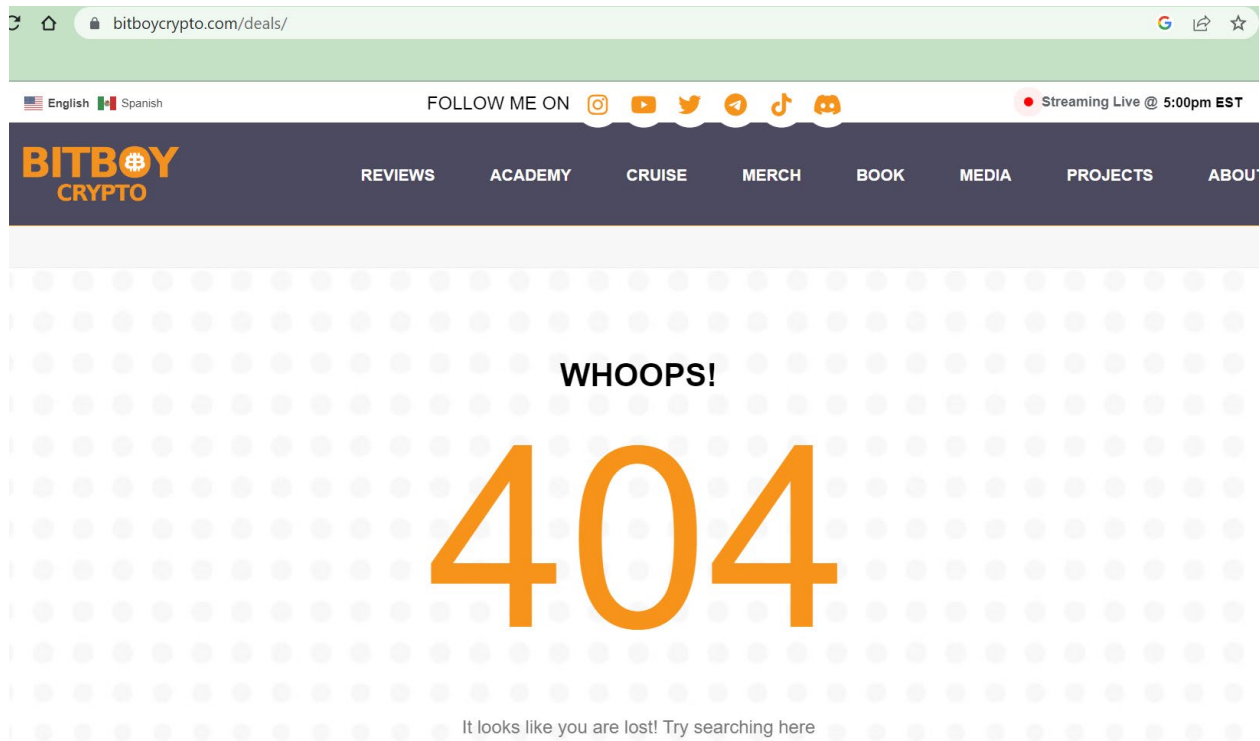
D. Armstrong is an Admitted Binance Affiliate and Promotes Binance’s Platforms and Securities Offerings, Including BNB

Finally, as detailed in the *Zhao* Complaint at ¶¶ 153–156, Defendant Armstrong, as he has been exposed for doing numerous times, has also taken to hiding his extensive participation in affiliate marketing with Binance. His bitboycrypto.com webpage in the past contained dozens of links to crypto exchanges and products, but within the last year, he has wiped the referral page of his website.

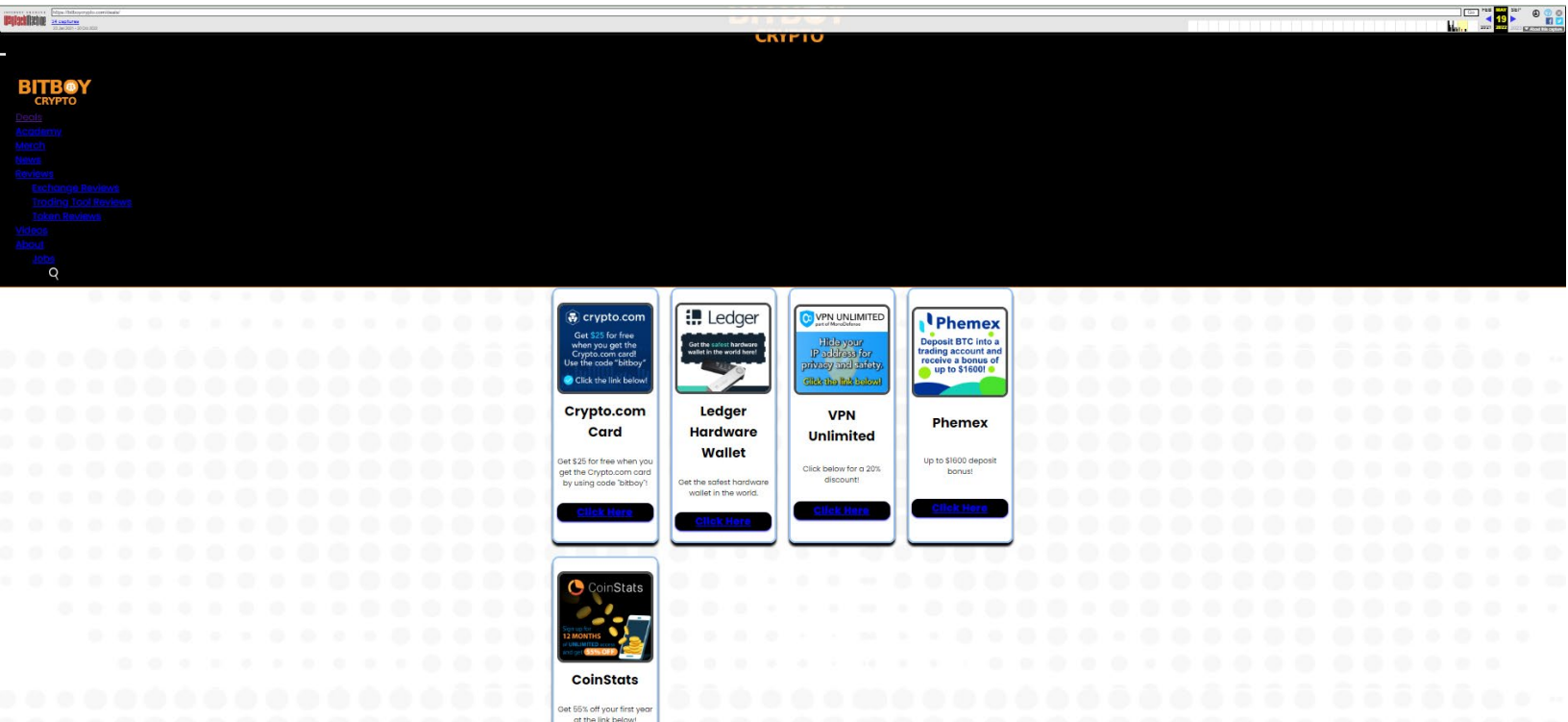
As shown in the below screenshot from the Wayback Machine, the domain: <https://bitboycrypto.com/deals/> on May 19, 2022, at 22:45:54, contained affiliate links to Binance and Binance.US:



That same domain on March 31, 2023 at 17:00:20 has been scrubbed:



On top of Defendant Armstrong’s previous, shameless promotion of his affiliate links, he also illegally and problematically advertised VPNs like his affiliate link to “VPN unlimited” shown below,³⁴ right next to crypto exchanges like Binance and BinanceUS, in order to help Binance further its goal of enabling U.S. investors to trade on the international Binance exchange, aiding Binance in its effort to circumvent U.S. regulations. These crypto exchanges are subject to strict Know Your Customer rules and geofencing customer limitations, which, as explained above, can be bypassed by such VPNs.



³⁴ The domain: <https://bitboycrypto.com/deals/> on the Wayback Machine as of May 19, 2022, at 22:45:54.

CONCLUSION

First, Plaintiffs respectfully suggest that any Court cannot condone or allow such inappropriate, bullying, unprofessional and, frankly, terrorizing conduct, specifically in a time where social media reaches millions of people and which involves direct threats on officers of the court and their families. Every litigant deserves a chance to voice their opinion and mount their defense in a court of law, but they can never be allowed to threaten officers of the court on social media, via direct emails, and with harassing phone calls. An example should be made of Defendant Armstrong because he continues to wear his bullying and assaulting conduct as a badge of honor.

Second, while contrary to Defendant Armstrong’s cries of innocence, it is already well-documented that Armstrong has been intricately involved in many nefarious activities that this Court will decide, including (1) shilling crypto projects to his followers in connection with “pump and dump” schemes—from which he derives significant personal financial gain—and then intentionally hiding evidence after the rug is pulled through deleting or editing his social network content; (2) charging tens of thousands of dollars per mention of a crypto project in his public online content; (3) posting a plethora of materials regarding specifically FTX, FTT and Sam Bankman-Fried (much of which he has since altered or deleted, though many are still publicly available), including his own purported half million dollar stake in FTT; and (4) being an admitted Affiliate of Binance, has promoted BNB, one of the unregistered securities at issue in *Zhao*, and even promotes a VPN on the same affiliate page, in line with Binance’s deceptive business practices.

Plaintiffs are extremely appreciative that this Court agreed to hold a Status Conference with Defendant Armstrong to put a stop to his harassment, and can certainly decide if and when it should coordinate such actions with the Court in *Zhao*.

Dated: April 5, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on April 5, 2023, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record, and via email to Defendant Armstrong at bitboy@bitboycrypto.com.

By: /s/ Adam M. Moskowitz
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