

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CELSIUS NETWORK INC., a corporation,
CELSIUS NETWORK LLC, a limited liability
company, CELSIUS NETWORKS LENDING
LLC, a limited liability company, CELSIUS
LENDING LLC, a limited liability company,
CELSIUS KEYFI LLC, a limited liability
company, CELSIUS MINING LLC, a limited
liability company, CELSIUS US HOLDING
LLC, a limited liability company; CELSIUS
US LLC, a limited liability company;
CELSIUS MANAGEMENT CORP., a
corporation;

ALEXANDER MASHINSKY, individually
and as an officer of Celsius Network Inc.,
Celsius Network LLC, Celsius Networks
Lending LLC, Celsius Lending LLC, Celsius
KeyFi LLC, Celsius Mining LLC, and Celsius
US Holding LLC;

SHLOMI DANIEL LEON, individually and as
an officer of Celsius Network Inc., Celsius
Network LLC, Celsius Networks Lending
LLC, Celsius Lending LLC, Celsius KeyFi
LLC, Celsius Mining LLC, Celsius US
Holding LLC; and

HANOCH “NUKE” GOLDSTEIN,
individually and as an officer of Celsius
Network LLC and Celsius Lending LLC,

Defendants.

Case No. 1: 23-cv-6009 (DLC)

ORAL ARGUMENT REQUESTED

**NOTICE OF HANOCH “NUKE” GOLDSTEIN’S
MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declaration of Avi Weitzman, and all other papers herein, Defendant Hanoch “Nuke” Goldstein, by his undersigned attorneys, hereby moves this Court before the Honorable Denise L. Cote, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, NY 10007, for an order dismissing the Complaint For Permanent Injunction, Monetary Relief, and Other Relief (ECF No. 1) in its entirety with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6).

Response and reply papers are to be filed pursuant to Rule 6.1 of the Joint Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York.

Dated: September 11, 2023
New York, New York

Respectfully submitted,

/s/ Avi Weitzman

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