

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

POKERSTARS, et al.,

Defendants.

ALL RIGHT, TITLE AND INTEREST IN
THE ASSETS OF POKERSTARS, et al.,

Defendants-In-Rem.

Case No. 1:11 Civ. 02564 (LBS)

ECF CASE

Filed Electronically

**NOTICE OF MOTION TO DISMISS COUNTS ONE AND FOUR, AND CLAIM FOR
CIVIL MONEY LAUNDERING PENALTIES, OF THE VERIFIED FIRST AMENDED
COMPLAINT THAT HAVE BEEN ASSERTED AGAINST DEFENDANT AND
CLAIMANT RAFAEL FURST**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Points and Authorities all prior pleadings and proceedings herein, and any additional oral or written argument or evidence later presented to the Court, Defendant and Claimant Rafael Furst will respectfully move this Court, before the Honorable Judge Leonard B. Sand, at a date and time convenient for the Court, in Courtroom 15A at the United States Courthouse, 500 Pearl Street, New York, New York, for an order to dismiss Counts One and Four, and the claim for civil money laundering penalties, of the *Verified First Complaint* asserted by Plaintiff, United States of America against Furst pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant this Court's June 29, 2012, Order, Plaintiff shall file its Response by July 30, 2012, and Furst shall file his reply by August 13, 2012.

DATED: July 9, 2012

Respectfully submitted,

s/ Benjamin N. Souede

BENJAMIN SOUEDE

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