

**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 CLAIMS ONE AND FOUR OF THE VERIFIED  
FIRST AMENDED COMPLAINT AS THEY RELATE TO CLAIMANT  
TELAMONIAN AJAX TRUST**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Points and Authorities and all prior pleadings and proceedings herein, and any additional oral or written evidence or argument later presented to the Court, Claimant Telamonian Ajax Trust (“Telamonian”) 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 of the *Verified First Complaint* asserted by Plaintiff, United States of America, 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,

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Plaintiff shall file its Response by July 30, 2012, and Telamonian shall file its reply by August 13, 2012.

**DATED:** July 9, 2012

Respectfully submitted,

s/ Benjamin N. Souede  
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