

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; etc., et al.,

Defendants-In-Rem.

Civil Action No.: 11-cv 02564-LBS

DECLARATION OF GARY OWEN CARIS
REGARDING REQUEST FOR JUDICIAL
NOTICE OF FTC ACTION FILINGS IN
SUPPORT OF OPPOSITION TO
PLAINTIFF'S MOTION TO STRIKE THE
CLAIM OF ROBB EVANS OF ROBB
EVANS & ASSOCIATES LLC, RECEIVER

I, Gary Owen Caris, declare:

1. I am an attorney at law duly admitted to practice before the courts of the State of California and a member of the firm of McKenna Long & Aldridge LLP, the attorneys for Robb Evans of Robb Evans & Associates LLC, in his capacity as Receiver ("Receiver") appointed pursuant to the Preliminary Injunction Order issued in the case of *Federal Trade Commission v. Jeremy Johnson, etc., et al.*, United States District Court, District of Nevada, Case No. 2:10-cv-02203-RLH-GWF ("FTC Action"). I have also been admitted *pro hac vice* to appear on behalf of the Receiver as a claimant in this civil forfeiture action. If called upon to testify as to the facts set forth in this declaration, I could and would testify competently thereto as the facts are true and are within my personal knowledge.

2. I am lead counsel for the Receiver in the FTC Action and am responsible for the preparation and filing of various pleadings and other papers on behalf of the Receiver in the FTC Action. This declaration is submitted in support of the Receiver's Opposition to Plaintiff's

Motion to Strike the Claim of Robb Evans of Robb Evans & Associates LLC, Receiver which is filed concurrently herewith.

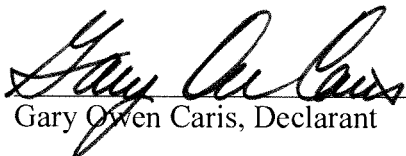
3. On February 3, 2012, with the assistance of my firm and of the Receiver's local counsel in Nevada, the Receiver filed his Report of Receiver's Financial Reconstruction ("Second Report") dated January 31, 2012 as Document No. 464 in the FTC Action. The Receiver's Second Report was supported by a four-volume Appendix of Exhibits with over 100 exhibits which were filed as Document Nos. 465-468 in the FTC Action which my firm and the Receiver's local counsel assisted the Receiver in filing in the FTC Action.

4. After the Receiver filed the Second Report, the FTC Action was transferred from District Judge Roger L. Hunt to District Judge Miranda M. Du and the case number assigned to the FTC Action was modified accordingly. On May 30, 2012, on behalf of the Receiver, I filed the Receiver's Notice of Motion and Motion for Order Clarifying Preliminary Injunction Order and for Further Instructions Regarding Scope of Receivership Defendants under Preliminary Injunction Order and Report of Receiver's Financial Reconstruction and Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors (Doc. No. 580) ("Motion to Clarify"). The Motion to Clarify is supported by an extensive Memorandum of Points and Authorities included in Document No. 580, the Declaration of Brick Kane (Doc. No. 581) and the Declaration of Gary Owen Caris (Doc. No. 582). The Federal Trade Commission ("FTC") filed a response in support of the Receiver's Motion to Clarify on July 9, 2012 as Document No. 620 in the FTC Action.

5. On behalf of the Receiver, I request that the Court take judicial notice of the Second Report and its Appendix of Exhibits, the Motion to Clarify and the pleadings filed in support of the Motion to Clarify, Document Nos. 464-468, inclusive, 580-582, inclusive, and 620, filed in the FTC Action (collectively the "Judicial Notice Filings"), in support of the Receiver's Opposition to the Motion to Strike pursuant to Rule 201 of the Federal Rules of Evidence which the Receiver contends demonstrate that the entities Triple Seven L.P. including its fictitious business names Netwebfunds.com and A Web Debit (individually and collectively "Triple Seven"), Triple Seven Inc., Kombi Capital, Powder Monkeys and Mastery Merchant are

Receivership Defendants under the I Works Preliminary Injunction. The Judicial Notice filings are voluminous and therefore, consistent with Section 5.2 of the Court's Local Rules concerning electronic filing which directs that attachments and exhibits be limited, attached hereto as Exhibit 1 is a true and correct copy of the Receiver's Second Report without the voluminous four-volume Appendix of Exhibits attached, which is submitted as an excerpt of the complete Second Report and Appendix without prejudice to submission of the complete supporting Appendix if requested by plaintiff United States or the Court. Attached hereto as Exhibit 2 is a true and correct copy of the Receiver's Motion to Clarify which includes the supporting memorandum but excludes the voluminous supporting Declaration of Brick Kane and Declaration of Gary Owen Caris and which is submitted as an excerpt of the complete Motion to Clarify with its supporting pleadings and exhibits without prejudice to submission of the complete supporting pleadings and exhibits if requested by plaintiff United States or the Court. Attached hereto as Exhibit 3 is a true and correct copy of the FTC's Response supporting the Receiver's Motion to Clarify ("FTC Response") without the supporting declarations and other exhibits, which is submitted as an excerpt of the complete FTC Response without prejudice to submission of the complete supporting pleadings and exhibits if requested by plaintiff United States or the Court. Although authenticated copies of the excerpts of the pleadings and records of which the Receiver has requested judicial notice are submitted to the Court through this Declaration, if requested by the Court, the Receiver will file complete, certified copies of all pleadings of which the Receiver has requested the Court take judicial notice in support of the Receiver's Opposition.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 25 day of July 2012 at Los Angeles, California.



Gary Owen Caris, Declarant