

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
POKERSTARS, ET AL.,)
)
Defendants,)
)
ALL RIGHTS, TITLE & INTEREST)
IN THE ASSETS OF POKERSTARS,)
ETC.,)
)
Defendants-In-Rem.)

Civil Action No. 1:11-cv-02564-LBS

VERIFIED CLAIM AND STATEMENT OF INTEREST OR RIGHT
IN PROPERTY SUBJECT TO FORFEITURE IN REM

TO: UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

The Commonwealth of Kentucky, *ex rel.*, J. Michael Brown, Secretary Justice and Public Safety Cabinet (the "Commonwealth"), hereby claims the following defendant property:

(1) All right, title and interest in the following internet domain names:
pokerstars.com; fulltiltpoker.com; absolutepoker.com; and ultimatebet.com.

(2) The proceeds from any sale or disposition of said domain names.

In support of its claim, the Commonwealth avers that it was at the time of the filing of the complaint, and still is, the true and bona fide sole owner of the property and entitled to possession, and that no other person is the owner of or entitled to possession of the property. The Commonwealth states that is the owner of the domain names by virtue of its prior seizure of said domain names, in that certain *in rem* civil forfeiture action, styled *Commonwealth of Kentucky, ex rel. J. Michael Brown, Secretary Justice and Public Safety Cabinet v. 141 Internet*

Domain Names, 08-CI-1409 (Franklin Circuit Court, Commonwealth of Kentucky) (hereinafter “Kentucky Forfeiture Action:). Copies of the Second Amended Complaint, the Order of Seizure and the Court’s Findings Of Fact And Conclusions Of Law in that action are attached hereto as Exhibits A, B and C.

The Commonwealth seized the domains by reason of its having been victimized, both in its capacity as a sovereign state and in its *parens patriae* capacity with statutory authority on behalf of its citizens, by Defendants’ actions, including those actions as pleaded in the Amended Complaint filed herein by the United States, and as pleaded in the Kentucky Forfeiture Action.

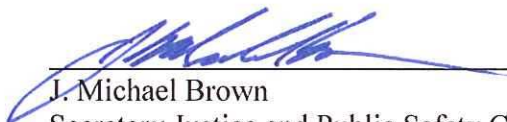
WHEREFORE, the Commonwealth of Kentucky *ex rel.*, J. Michael Brown, Secretary Justice and Public Safety Cabinet, respectfully requests the following relief:

1. Reinstatement of its rightful interest in the aforesaid defendant property;
2. That it be allowed to defend the instant forfeiture action;
3. That the domain names be ordered restored and released to the Commonwealth;

and

4. That the Commonwealth be awarded such other and further relief as the Court may deem just.

On this 30th day of September, 2011, J. Michael Brown deposes and states that he is Secretary of the Justice and Public Safety Cabinet of the Commonwealth of Kentucky; that he has the authority, under the laws of the Commonwealth of Kentucky and at the direction of its Governor, to act on behalf of the Commonwealth in this matter and that he signs this Claim pursuant to said authority; that he had read said Claim and knows the contents thereof, and he further declares that the statements herein are true and correct under penalty of perjury.



J. Michael Brown
Secretary Justice and Public Safety Cabinet

Commonwealth of Kentucky)
)
County of Franklin)

The foregoing Affidavit, was acknowledged, subscribed to and sworn to before me by J. Michael Brown, this 30th day of September, 2011.

My Commission Expires: 10/25/11



Notary Public

Respectfully submitted,

/s/ D. Eric Lycan (pro hac vice)
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Attorney for Commonwealth of Kentucky ex rel., J. Michael Brown, Secretary Justice and Public Safety Cabinet

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2011, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record, and by United States Mail, first class postage prepaid, to the following:

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Attorneys for Chad Elie

/s/ D. Eric Lycan _____
ATTORNEY FOR DEFENDANT