

APPENDIX "A"

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY 69,370 BITCOIN
(BTC), BITCOIN GOLD (BTG) BITCOIN
SV (BSV) AND BITCOIN CASH (BCH),

Defendant.

Case No. 20-cv-07811-RS

**ORDER DENYING MOTION TO
INTERVENE AND MOTION TO
APPOINT COUNSEL**

This is a civil forfeiture action arising from the seizure of approximately 69,370 Bitcoin, Bitcoin Gold, Bitcoin SV, and Bitcoin Cash allegedly derived from certain unlawful activity. Adesijuola Ogunjobi, appearing *pro se*, has filed a motion for leave to intervene, purportedly set for December 3, 2020. Ogunjobi separately moves for appointment of counsel. Pursuant to Civil Local Rule 7-1(b), both motions are suitable for disposition without oral argument, and no hearing will be held.

Ogunjobi's pleadings are disjointed and rambling. As best as can be discerned from the motions and a cover letter that accompanied them (Dkt. No. 13), Ogunjobi wants 3083 of the seized bitcoins transferred to him so that he can use them as collateral to secure a \$250 million loan he contends has been lined up. That loan, in turn, will allow Ogunjobi to access a \$5 trillion "credit facility," from which he apparently intends (1) to pay \$2.5 billion to purchase outright all the bitcoin assets seized that are the subject of this action, and (2) to fund a "global class action" to prove the COVID-19 pandemic is fraudulent. Ogunjobi lists as his proposed co-intervenors a

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1 diverse group of well known entities and individuals, including the United States, The Peoples
2 Republic of China, OPEC, the Federal Reserve, the National Football League, Major League
3 Baseball, Donald and Melania Trump, Prince Charles, Idris Elba, Madonna, and various members
4 of the Dallas Cowboys football team.

5 The motion to intervene is frivolous and is denied. The motion to appoint counsel requests
6 that Sidley Austin and/or the U.S. Attorney's Office for this district be appointed to represent the
7 proposed intervenors in this matter.¹ It is likewise frivolous and is denied. In view of this order,
8 plaintiff's motion to continue the hearing is moot.

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10 Dated: December 1, 2020



11 RICHARD SEEBORG
12 United States District Judge

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25 ¹ Ogunjobi affixed signature blocks for Sidley Austin attorneys and Assistant U.S. Attorneys to his
26 papers as if those attorneys had signed and were filing the motions, although he elsewhere
27 explained they are not in fact representing him. While no one would mistake the documents for
work product of the U.S. Attorney's office or Sidley Austin, the misleading appearance of the
signature blocks cannot be condoned.

APPENDIX "B"
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

APPROXIMATELY 69,370 BITCOIN
(BTC), BITCOIN GOLD (BTG) BITCOIN
SV (BSV) AND BITCOIN CASH (BCH), et
al.,

Defendants.

Case No. 20-cv-07811-RS

**ORDER DENYING SECOND MOTION
REGARDING INTERVENTION**

On December 1, 2020, the motion of Adesijuola Ogunjobi for leave to intervene in this action was denied as frivolous.¹ See Dkt. No. 19. On December 21, 2020, Ogunjobi filed a document entitled "Motion of Adesijuola Ogunjobi to File Motion for Intervention Pro Se." If deemed to be a motion for reconsideration, it must be denied because Ogunjobi has not established any of the grounds for reconsideration exist, or that the prior order was erroneous.²

It appears Ogunjobi may not be seeking reconsideration and instead believes the present

¹ To the extent Ogunjobi believes the motion was denied based on his failure to follow any local rule regarding timing, giving notice, or formatting of documents, he is mistaken. While no failure to comply with local rules can be condoned, the motion was denied on the merits as wholly frivolous, and not for any procedural shortcoming.

² Ogunjobi does identify a typographical error in the prior order where the figure \$250 million was inadvertently substituted for \$25 million. That has no bearing on the substance of the order.

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1 motion differs from the prior motion in that he now is seeking to proceed pro se, whereas he
2 previously requested appointment of counsel to act on his behalf. The asserted basis of the motion
3 and the substantive relief sought, however, is the same. It remains frivolous and is denied.

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5 **IT IS SO ORDERED.**

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7 Dated: January 5, 2021


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10 RICHARD SEEBORG
11 United States District Judge
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APPENDIX "C"
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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

FEB 10 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

APPROXIMATELY 69,370 BITCOIN
(BTC), BITCOIN GOLD (BTG) BITCOIN
SV (BSV) AND BITCOIN CASH (BCH);
ROSS WILLIAM ULRICHT,

Defendants-Appellees,

v.

ADESIJUOLA OGUNJOBI, Proposed
Intervenor-Plaintiff,

Movant-Appellant.

No. 21-15111

D.C. No. 3:20-cv-07811-RS
Northern District of California,
San Francisco

ORDER

Before: CANBY and FRIEDLAND, Circuit Judges.

Appellant's emergency motion for a stay (Docket Entry No. 11) is denied.

Appellant's motion for appointment of counsel (Docket Entry No. 7) is denied.

No motions for reconsideration of these denials will be entertained.

A review of the district court's docket reflects that the district court has deemed this appeal frivolous and has denied appellant leave to proceed on appeal

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in forma pauperis. This court may dismiss a case at any time, if the court also determines the case is frivolous. *See* 28 U.S.C. § 1915(e)(2).

Within 35 days after the date of this order, appellant must:

- (1) file a motion to dismiss this appeal, *see* Fed. R. App. P. 42(b), OR
- (2) file a statement explaining why the appeal is not frivolous and should go forward.

If appellant does not respond to this order, the Clerk will dismiss this appeal for failure to prosecute, without further notice. *See* 9th Cir. R. 42-1. If appellant files a motion to dismiss the appeal, the Clerk will dismiss this appeal, pursuant to Federal Rule of Appellate Procedure 42(b). If appellant submits any response to this order other than a motion to dismiss the appeal, the court may dismiss this appeal as frivolous, without further notice.

If appellant files a statement that the appeal should go forward, appellees may file a response within 10 days after service of appellant's statement.

The briefing schedule for this appeal remains stayed.

The Clerk shall serve on appellant: (1) a form motion to voluntarily dismiss the appeal, and (2) a form statement that the appeal should go forward. Appellant may use the enclosed forms for any motion to dismiss the appeal or statement that the appeal should go forward.