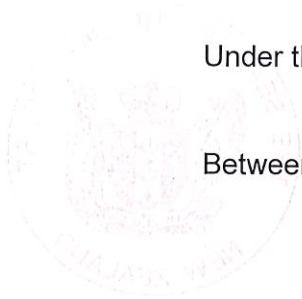


IN THE HIGH COURT OF NEW ZEALAND  
WELLINGTON REGISTRY

I TE KŌTI MATUA O AOTEAROA  
TE WHANGANUI-A-TARA ROHE

CIV-2024-485-58



Under the

Trade Marks Act 2002, Fair Trading Act 1986, and breach of confidence

Between

**DAVID IAN RUSCOE** and **MALCOLM RUSSELL MOORE**  
of **GRANT THORNTON NEW ZEALAND LIMITED** as  
liquidators of **CRYPTOPIA LIMITED (IN LIQUIDATION)**

First Plaintiffs

**CRYPTOPIA LIMITED (IN LIQUIDATION)**

Second Plaintiff

And

**EPIC TRUST LIMITED**

First Defendant

And

**THOMAS VICTOR HENRY RONALD CATTERMOLE**

Second Defendant

[Continued Overleaf]

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**INTERIM ORDERS**

Dated: 13 February 2024

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Judicial officer assigned: Justice Palmer

**BUDDLE FINDLAY**

Barristers and Solicitors  
Wellington

Solicitor Acting: **Scott Barker / Brooke Marriner**

Email: [scott.barker@buddlefindlay.com](mailto:scott.barker@buddlefindlay.com) / [brooke.marriner@buddlefindlay.com](mailto:brooke.marriner@buddlefindlay.com)

Tel 64 4 498 7349 Fax 64 4 499 4141 PO Box 2694 DX SP20201 Wellington 6011



And

**MARTIN BRAINE**

Third Defendant

And

**PERSONS UNKNOWN**

Fourth Defendant



**To:** The defendants

**This document notifies you that –**

1. The urgent, without notice interlocutory application for interim orders made by the plaintiffs, David Ian Ruscoe and Malcolm Russell Moore as liquidators (**liquidators**) of Cryptopia Limited (in liquidation) (**Cryptopia**) and Cryptopia on 8 February was determined by the Honourable Justice Palmer on 13 February 2024.
2. The determination was made on the papers without a hearing.
3. The following orders were made:
  - (a) from the date of this Court's judgment until the plaintiffs' application for interlocutory injunctions is determined, the first to fourth defendants are prohibited from:
    - (i) using, relying on, referring to, disseminating or disclosing the information about Cryptopia's database and cryptocurrency holdings contained in the spreadsheets exhibited to the affidavit of David Ian Ruscoe dated 8 November 2019 in CIV-2019-409-544 (or copies thereof, whether in electronic or hard copy);
    - (ii) using the trade marks "Cryptopia" and "CRYPTOPIA":
      - (1) in the headings or sub-headings of any documents or communications created for the purposes of advertising to or communicating with Cryptopia's account holders, or persons who may be Cryptopia's account holders; and
      - (2) in any domain names, usernames, account names, email addresses, subject lines or display names used for the purposes of advertising to or communicating with Cryptopia's account holders, or persons who may be Cryptopia's account holders.
  - (b) The first and second defendants must disclose, by way of affidavit:
    - (1) the identity, whereabouts and contact details of Martin Braine, the in-house lawyer for the Principality of Cogito; and



- (2) the identity and contact details of any legal persons (being natural persons or other legal entities) who are in control of decision-making for the Principality of Cogito or the Cogito Metaverse.
- (c) The liquidators are permitted to serve the first defendant by serving a copy of the applications, statement of claim, supporting documentation, and this judgment, on Cavell Leitch, being the solicitors instructed by the first defendant in CIV-2023-485-411.
- (d) No person may search, inspect or copy the Court file without an order from the Court (made on notice to the liquidators) or the written consent of the liquidators.
- (e) The parties to this proceeding are not permitted to disclose Mr Ruscoe's affidavit of 8 February 2024 to any non-party without an order from the Court, made on notice to the liquidators, or with their written consent, except for the purposes of obtaining legal advice for this proceeding.
- (f) The parties are required to delete Mr Ruscoe's affidavit dated 8 February 2024 after this proceeding and any appeals are determined and to file an affidavit confirming that they have done so.
- (g) Leave is reserved to any party to apply to vary or set aside the interim injunction on three working days' notice.

Dated: 13 February 2024



Deputy Registrar

Sheena Spiers

