

Steven M. Wilker, OSB No. 911882
Direct Dial: 503.802.2040
Fax: 503.972.3740
E-Mail: steven.wilker@tonkon.com
David S. Aman, OSB No. 962106
Direct Dial: 503.802.2053
Fax: 503.972.3753
E-Mail: david.aman@tonkon.com

TONKON TORP LLP

1600 Pioneer Tower
888 S.W. Fifth Avenue
Portland, OR 97204

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland Division

**OBSIDIAN FINANCE GROUP, LLC and
KEVIN D. PADRICK,**

Plaintiffs,

v.

CRYSTAL COX AND ELIOT BERNSTEIN,

Defendants.

Civil No. 3:11-cv-00057

**SUPPLEMENTAL COMPLAINT
(FRAUDULENT TRANSFER)**

JURY TRIAL DEMANDED

For their supplemental complaint against defendants Crystal Cox and Eliot
Bernstein, plaintiffs Obsidian Finance Group, LLC and Kevin D. Padrick allege as follows:

PARTIES

1. Plaintiff Obsidian Finance Group, LLC ("Obsidian") is a limited liability company organized and existing under the laws of the State of Oregon, with its principal place of business in Washington County, Oregon. The members of Obsidian are Kevin Padrick and David Brown.

2. Plaintiff Kevin D. Padrick is a citizen and resident of Oregon.

3. David Brown, the other member of Obsidian, is also a citizen and resident of Oregon.

4. On information and belief, Crystal Cox is an individual residing in Montana or Washington. On information and belief, defendant Eliot Bernstein is an individual residing in Florida.

JURISDICTION

5. The Court has subject matter jurisdiction in this action pursuant to 28 U.S.C. § 1332.

6. Defendants are subject to personal jurisdiction in this Court because defendants expressly aimed their conduct at plaintiffs, who reside in Oregon, and the plaintiffs suffered the effects of the tortious conduct in Oregon.

VENUE

7. Venue lies in this District pursuant to 28 U.S.C. § 1391(a)(2).

CLAIM FOR RELIEF

8. Plaintiffs reallege all of the preceding paragraphs.

9. Plaintiffs obtained a verdict in their favor and against defendant Cox on November 28, 2011, in the amount of \$2.5 million. Since the date judgment was entered, Defendant Cox has transferred ownership of numerous domain names to defendant Bernstein.

10. Defendant Cox made the transfers to Bernstein with the actual intent to hinder, defraud or delay plaintiffs' efforts to collect on the judgment.

11. On information and belief, Defendant Cox made the transfers to Bernstein without receiving reasonably equivalent value in exchange and at a time when Cox was insolvent.

12. Plaintiffs are entitled to have the transfers to defendant Bernstein voided, and to have the domain names transferred to a receiver appointed by the Court.

WHEREFORE, plaintiffs seek a judgment as follows:

- A. Finding in favor of plaintiffs on their claim for relief;
- B. Ordering that the transfers of domain names are void;
- C. Ordering the transfer of the domain names to a receiver appointed by the Court;
- D. Awarding plaintiffs their costs and expenses incurred in this action; and,
- E. Granting such other and further relief, including a temporary restraining order and preliminary injunction, as the Court deems just or equitable.

JURY TRIAL DEMAND

Plaintiffs demand trial by jury on all issues so triable.

DATED this 11th day of May 2012.

TONKON TORP LLP

By /s/ David S. Aman

Steven M. Wilker, OSB No. 911882

Direct Dial: 503.802.2040

Fax: 503.972.3740

E-Mail: steven.wilker@tonkon.com

David S. Aman, OSB No. 962106

Direct Dial: 503.802.2053

Fax: 503.972.3753

E-Mail: david.aman@tonkon.com

Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PLAINTIFFS' SUPPLEMENTAL COMPLAINT** on:

Crystal L. Cox
PO Box 505
Eureka, Montana 59917
Crystal @CrystalCox.com
savvybroker@yahoo.com

- ☒ by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to said party's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below;
- ☒ by causing a copy thereof to be e-mailed to said party at her last-known email address on the date set forth below;

DATED this 11th day of May 2012.

TONKON TORP LLP

By /s/ David S. Aman

David S. Aman, OSB No. 962106

Direct Dial: 503.802.2053

Fax: 503.972.3753

E-Mail: david.aman@tonkon.com

Attorneys for Plaintiffs

033992/00010/3589563v1