

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, :
 et al., :
 :
 Defendants-in-rem. :

11 Civ. 2564 (LBS)

**CLAIMANT ULTRA SAFE PAY, LLC NOTICE OF
MOTION TO DISMISS FORFEITURE COMPLAINT AND FOR OTHER RELIEF**

PLEASE TAKE NOTICE that Claimant Ultra Safe Pay, LLC (“USP”), by its attorneys, Pepper Hamilton LLP (by Jeremy D. Frey and Adam B. Michaels), will move this Court before the Hon. Leonard B. Sand at the U.S. Courthouse for the Southern District of New York, on a date and time to be designated by the Court, for an Order dismissing the second amended complaint as to the Defendant Property claimed by USP and to return to USP the funds designated in USP’s filed claim in this matter.

USP by this motion joins in and incorporates the motions, legal arguments and assertions contained in and to be contained in motions and all supporting briefs and documents that have been and may be filed by defendants, persons representing defendants-in-rem and/or other claimants to property alleged to be subject to forfeiture, including without limitation any such motions and related matters under Fed. R. Civ. P. 12(b)(1), (b)(3) and (b)(6), as its interests may appear.

Claimant Ultra Safe Pay, LLC joins these motions filed and to be filed and requests that this Court issue an Order dismissing the second amended complaint as to the Defendant Property claimed by USP, returning property of USP in accordance with USP's filed claim, and for such other and further relief as this Court may deem proper.

Respectfully submitted,

/s/ Adam B. Michaels

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Attorneys for Ultra Safe Pay, LLC

Dated: November 15, 2012

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of November 2012, I electronically filed the forgoing Notice of Motion with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the parties of record.

/s/ Adam B. Michaels

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