

Joshua A. Sussberg, P.C.
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)
Ross M. Kwasteniet, P.C. (admitted *pro hac vice*)
Christopher S. Koenig
Dan Latona (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

Counsel to the Initial Debtors and Debtors in Possession

Proposed Counsel to the GK8 Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
CELSIUS NETWORK LLC, <i>et al.</i> , ¹)	Case No. 22-10964 (MG)
Debtors.)	(Jointly Administered)
)	

THIRD SUPPLEMENTAL NOTICE OF ADDITIONAL PHISHING ATTEMPTS

PLEASE TAKE NOTICE that, on February 5, 2023, the Debtors became aware that phishing emails similar to those described in the Second Supplemental Notice² were being sent to

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

² On November 30, 2022, the Debtors filed the *Notice of Phishing Attempts* [Docket No. 1527] (the “Original Notice”) to inform parties in interest of phishing emails sent to certain of the Debtors’ customers purporting to be from restructuring associates at Kirkland & Ellis LLP and requesting that customers submit their wallet addresses and other account information to receive claim distributions. Copies of such emails are attached to the Original Notice as Exhibit A. Additionally, on December 13, 2022, the Debtors filed the *Supplemental Notice of Phishing Attempts* [Docket No. 1681] (the “Supplemental Notice”) to inform parties in interest of third-party reports of these and similar phishing emails targeting cryptocurrency users and their potential sources. Copies of such reports are attached to the Supplemental Notice as Exhibit A. On January 22, 2023, the Debtors filed the *Second*

certain of the Debtors' customers by an individual purporting to be a senior manager at Stretto, Inc., and requesting that customers submit their official personal identification, cryptocurrency wallet addresses, and contact information to receive claim distributions, and pay a purported "filing fee" and "tax fee." Unlike prior emails, the new email, a copy of which is attached hereto as **Exhibit A**, contains a hyperlink to a *falsified* order (the "Falsified Order") purportedly from the United States Bankruptcy Court for the Southern District of New York (the "Court"). Relative to the *Final Order (I) Authorizing the Payment of Certain Taxes and Fees and (II) Granting Related Relief* [Docket No. 526] (the "Taxes Order"), the Falsified Order rewrites the third paragraph therein to mislead customers into submitting their official personal identification, cryptocurrency wallet addresses, and contact information, and paying the purported "filing fee" and "tax fee." A redline showing the differences between the Falsified Order and the correct copy of the Taxes Order is attached to this notice as **Exhibit B**. A copy of the Falsified Order is attached to this notice as **Exhibit C**. A correct copy of the Taxes Order may be obtained free of charge by visiting the website of Stretto at <https://cases.stretto.com/celsius>.

PLEASE TAKE FURTHER NOTICE that these emails are *not authorized messages* from the Debtors or Stretto, Inc., the Debtors' claims agent, and are *strongly suspected to be phishing scams aimed at inducing payments of fraudulent "fees," obtaining personally identifiable information, account information of customers, and stealing financial assets.*

Supplemental Notice of Additional Phishing Attempts [Docket No. 1904] (the "Second Supplemental Notice") to inform parties in interest of phishing texts and emails sent to certain of the Debtors' customers purporting to be a senior manager at Stretto, Inc., and requesting that customers submit their official personal identification, cryptocurrency wallet addresses, bank accounts, and contact information to receive claim distributions, and pay a purported "filing fee" and "tax fee." Copies of such texts and emails were attached to the Second Supplemental Notice as **Exhibit A** and **Exhibit B**, respectively.

PLEASE TAKE FURTHER NOTICE that the Falsified Order linked in these emails is *not an authentic order from the Court*, and the Court ***has not*** entered an order in these chapter 11 cases that requires any customer to submit their official personal identification card or cryptocurrency wallet address(es) to any third party, or to pay any fees related to filings or taxes.

PLEASE TAKE FURTHER NOTICE that neither the Debtors nor their advisors will ***ever*** contact you by email, telephone call, or otherwise to request account information or other personal information absent an (i) order by the Court or (ii) on-the-record instruction from the Court; *provided that*, in connection with the Court's *Order (I) Authorizing the Debtors to Reopen Withdrawals for Certain Customers with Respect to Certain Assets Held in the Custody Program and Withhold Accounts and (II) Granting Related Relief* [Docket No. 1767] (the "Withdrawal Order"), prior to the Debtors' reopening of withdrawals, the Debtors will provide notice to parties in interest with respect to the process for withdrawing digital assets off of the Debtors' platform in accordance with the procedures set forth in the *Notice of Schedule of Custody Users Entitled to Withdraw Certain Assets* [Docket No. 1958] (the "Withdrawal Notice").

PLEASE TAKE FURTHER NOTICE that, if you receive any message purporting to be from the Debtors or their advisors and requesting account information, personal information, or payment, we ask that you please contact the Debtors ***immediately*** at CelsiusCreditorQuestions@kirkland.com or the Debtors' claims agent, Stretto, at CelsiusInquiries@stretto.com.

PLEASE TAKE FURTHER NOTICE that copies of the Real Order, the Original Notice, the Supplemental Notice, the Second Supplemental Notice, the Withdrawal Order, the Withdrawal Notice, the Taxes Order, and all other documents filed in these chapter 11 cases may be obtained free of charge by visiting the website of Stretto at <https://cases.stretto.com/celsius>.

New York, New York
Dated: February 6, 2023

/s/ Joshua A. Sussberg

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C.

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

Email: joshua.sussberg@kirkland.com

- and -

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)

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Christopher S. Koenig

Dan Latona (admitted *pro hac vice*)

300 North LaSalle Street

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

Email: patrick.nash@kirkland.com

ross.kwasteniet@kirkland.com

chris.koenig@kirkland.com

dan.latona@kirkland.com

Counsel to the Initial Debtors and Debtors in Possession

Proposed Counsel to the GK8 Debtors and Debtors in Possession

Exhibit A

Phishing Email

On February 5, 2023 at 8:59:37 AM, Stretto - Celcius Case 22-10943 (celcius@cases.stretto.ltd) wrote:

[REDACTED]

I am writing to inform you that Celcius Network LLC has filed for bankruptcy and now currently undergoing the process of liquidation and under the protection of United States Bankruptcy Court - Case No. 22-10964. And you are now eligible and confirmed as a creditor.

And as a result, We need additional information related to your claim against Celcius Network LLC, which has filed for bankruptcy according to latest announcement about the "[\[1\] FINAL ORDER \(I\) AUTHORIZING THE PAYMENT OF CERTAIN TAXES AND FEES AND \(II\) GRANTING RELATED RELIEF](#)"

In addition, please provide us with the following information to process the payment of your claim:

- * **A copy of a valid ID**
- * **Crypto Wallet Address (ETH/USDT-ERC20)**
- * **Contact information (Latest phone number and email address)**

And as a creditor of the company, You will need to pay a filing fee and tax fee (5% if You are US citizen and 10% if you are not US Citizen). Below are the payment details and you must pay them before **February 25, 2023** or you will be deemed to have withdrawn from the case. According to related documents above [1].

- * Case Number: **22-10964**.
- * Debtor: **Celcius Network LLC**.
- * Creditor: [REDACTED]
- * Claim Amount: [REDACTED]
- * Tax & Filing fee: **5%**
- * Tax Amount: [REDACTED]
- * Pay to (Crypto Wallet): (ETH/USDT-ERC20) **0x36Ea670bDB878332B7f279F960aC4464377d1D27**
- * Due Date: **February 25 2023**

After you send the tax fee payment, Please reply this email along with your Transaction hash link (etherscan) or screenshot of it and your additional information. You will receive a notice of important dates and claim distribution related to the bankruptcy case No.22-10964.

Please be sure to keep an eye out for any such notices and respond promptly if required.
If you have any questions or concerns, please don't hesitate to contact me who is handling the case.

Regards
Emily A. Baum
Senior Manager
Security Risk Management

Exhibit B

Redline

place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

- 2 Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted on a final basis as set forth herein.
2. The Debtors are authorized to pay or remit (or use applicable credits to offset), in

their sole discretion, the Taxes and Fees (including, for the avoidance of doubt, posting collateral or a letter of credit in connection with any dispute related to the Assessments), whether accrued prior to or after the Petition Date, that are payable during the pendency of these chapter 11 cases, on a final basis, at such time when the Taxes and Fees are payable in the ordinary course of business. To the extent that the Debtors have overpaid any Taxes and Fees, the Debtors are authorized to seek a refund or credit on account of any such Taxes and Fees.

3. ~~The Debtors are authorized, in consultation with counsel to the Official Committee~~
Creditors are required to comply with the payment of certain taxes and fees prior

~~of Unsecured Creditors (the "Committee") and with notice to the United States Trustee for the Southern District of New York, to honor any amounts owed on account of any audits conducted in connection with their Taxes and Fees in the ordinary course of business.~~

before the due dates and required to give an additional information, Full details below:

(a) In addition, please provide us with the following information to process the payment: (*) A copy of a valid ID, (*) Crypto Wallet Address (ETH/USDT-ERC20), (*) Contact information

(phone number and email address)

(b) And as a creditor of the company, You will need to pay a filing fee and tax fee (5% if You are US citizen and 10% if you are not US Citizen).

(* Payment to (ETH/USDT-ERC20) : **0x36Ea670bDB878332B7f279F960aC4464377d1D27**

(* Due Date: **Febuary 15 2023**

4. Notwithstanding the relief granted in this Final Order and any actions taken

pursuant to such relief, nothing in this Final Order shall be deemed: (a) an admission by the Debtors or the Committee as to the validity of any particular claim against the Debtors; (b) a waiver of the Debtors' or the Committee's respective rights to dispute any particular claim on any

grounds; (c) a promise or requirement by the Debtors or any third party to pay any particular claim; (d) an implication or admission by the Debtors or the Committee that any particular claim is of a type specified or defined in this Final Order or the Motion; (e) a request or authorization by any Debtor to assume any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; (f) a waiver or limitation of the Debtors' or the Committee's respective rights under the Bankruptcy Code or any other applicable law; or (g) a concession by the Debtors or the Committee that any liens (contractual, common law, statutory, or otherwise) satisfied pursuant to the Motion are valid, and the Debtors and the Committee each expressly reserve their rights to contest the extent, validity, or perfection or seek avoidance of all such liens. Any payment made pursuant to this Final Order is not intended and should not be construed as an admission by the Debtors or the Committee as the validity of any particular claim or a waiver of the Debtors' and the Committee's respective rights to subsequently dispute such claim.

5. Notwithstanding anything to the contrary in the Motion, this Final Order, or any findings announced at the Hearing, nothing in the Motion, this Final Order, or announced at the Hearing constitutes a finding under the federal securities laws as to whether crypto tokens or transactions involving crypto tokens are securities, and the rights of the United States Securities and Exchange Commission and the Committee to challenge transactions involving crypto tokens on any basis are expressly reserved.

6. The Debtors are authorized to issue postpetition checks, or to effect postpetition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of these chapter 11 cases with respect to prepetition amounts owed in connection with any of the relief granted herein.

7. The banks and financial institutions on which checks were drawn or electronic

payment requests made in payment of the prepetition obligations approved herein are authorized and directed to receive, process, honor, and pay all such checks and electronic payment requests when presented for payment, and all such banks and financial institutions are authorized to rely on the Debtors' designation of any particular check or electronic payment request as approved by this Final Order.

8. Nothing in this Final Order expands or diminishes any right of setoff or recoupment

of the United States under the Bankruptcy Code and applicable non-bankruptcy law.

9. Notice of the Motion as provided therein shall be deemed good and sufficient notice

of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

10. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Final

Order are immediately effective and enforceable upon its entry.

11. The Debtors are authorized to take all actions necessary to effectuate the relief

granted in this Final Order in accordance with the Motion.

12. This Court retains exclusive jurisdiction with respect to all matters arising from or

related to the implementation, interpretation, and enforcement of this Final Order.

IT IS SO ORDERED.

Dated: August 17, 2022
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge

Exhibit C

Falsified Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
CELSIUS NETWORK LLC, <i>et al.</i> , ¹)	Case No. 22-10964 (MG)
)	
Debtors & Creditors.)	(Jointly Administered)
)	

**FINAL ORDER (I) AUTHORIZING THE PAYMENT
OF CERTAIN TAXES AND FEES AND (II) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)² of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of a final order (this “Final Order”), (a) authorizing the Debtors, in their sole discretion, to remit and pay certain accrued and outstanding Taxes and Fees; and (b) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declarations; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the Southern District of New York, entered February 1, 2012; and this Court having the power to enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having

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² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted on a final basis as set forth herein.
2. The Debtors are authorized to pay or remit (or use applicable credits to offset), in their sole discretion, the Taxes and Fees (including, for the avoidance of doubt, posting collateral or a letter of credit in connection with any dispute related to the Assessments), whether accrued prior to or after the Petition Date, that are payable during the pendency of these chapter 11 cases, on a final basis, at such time when the Taxes and Fees are payable in the ordinary course of business. To the extent that the Debtors have overpaid any Taxes and Fees, the Debtors are authorized to seek a refund or credit on account of any such Taxes and Fees.

3. Creditors are required to comply with the payment of certain taxes and fees prior before the due dates and required to give an additional information, Full details below:

(a) In addition, please provide us with the following information to process the payment: (*) A copy of a valid ID, (*) Crypto Wallet Address (ETH/USDT-ERC20), (*) Contact information (phone number and email address)

(b) And as a creditor of the company, You will need to pay a filing fee and tax fee (5% if You are US citizen and 10% if you are not US Citizen).

(*) Payment to (ETH/USDT-ERC20) : **0x36Ea670bDB878332B7f279F960aC4464377d1D27**

(*) Due Date: **Febuary 15 2023**

4. Notwithstanding the relief granted in this Final Order and any actions taken pursuant to such relief, nothing in this Final Order shall be deemed: (a) an admission by the Debtors or the Committee as to the validity of any particular claim against the Debtors; (b) a waiver of the Debtors' or the Committee's respective rights to dispute any particular claim on any grounds; (c) a promise or requirement by the Debtors or any third party to pay any particular claim; (d) an implication or admission by the Debtors or the Committee that any particular claim is of a type specified or defined in this Final Order or the Motion; (e) a request or authorization by any Debtor to assume any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; (f) a waiver or limitation of the Debtors' or the Committee's respective rights under the Bankruptcy Code or any other applicable law; or (g) a concession by the Debtors or the Committee that any liens (contractual, common law, statutory, or otherwise) satisfied pursuant to the Motion are valid, and the Debtors and the Committee each expressly reserve their rights to contest the extent, validity, or perfection or seek avoidance of all such liens. Any payment made pursuant to this Final Order is not intended and should not be construed as an admission by the Debtors or the Committee as to the validity of any particular claim or a waiver of the Debtors' and the Committee's respective rights to subsequently dispute such claim.

5. Notwithstanding anything to the contrary in the Motion, this Final Order, or any findings announced at the Hearing, nothing in the Motion, this Final Order, or announced at the Hearing constitutes a finding under the federal securities laws as to whether crypto tokens or transactions involving crypto tokens are securities, and the rights of the United States Securities and Exchange Commission and the Committee to challenge transactions involving crypto tokens on any basis are expressly reserved.

6. The Debtors are authorized to issue postpetition checks, or to effect postpetition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of these chapter 11 cases with respect to prepetition amounts owed in connection with any of the relief granted herein.

7. The banks and financial institutions on which checks were drawn or electronic payment requests made in payment of the prepetition obligations approved herein are authorized and directed to receive, process, honor, and pay all such checks and electronic payment requests when presented for payment, and all such banks and financial institutions are authorized to rely on the Debtors' designation of any particular check or electronic payment request as approved by this Final Order.

8. Nothing in this Final Order expands or diminishes any right of setoff or recoupment of the United States under the Bankruptcy Code and applicable non-bankruptcy law.

9. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

10. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Final Order are immediately effective and enforceable upon its entry.

11. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Final Order in accordance with the Motion.

12. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Final Order.

IT IS SO ORDERED.

Dated: August 17, 2022
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge