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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Commodity Futures Trading Commission,
Plaintiff,
v.
Ooki DAO (formerly d/b/a bZx DAO), an
unincorporated association,
Defendant.

**DECLARATION OF BRITTNE
SNYDER IN SUPPORT OF
PLAINTIFF’S MOTION FOR
ALTERNATIVE SERVICE
AGAINST DEFENDANT OOKI DAO
PURSUANT TO 28 U.S.C. § 1746**

I, Brittne Snyder, declare pursuant to 28 U.S.C. § 1746 based upon my personal knowledge as follows:

1. I am over 21 years of age and am legally fit and qualified to testify in a court of law.
2. I am employed as a Paralegal by the Division of Enforcement (“Division”) of the Commodity Futures Trading Commission (“Commission”), located at 2600 Grand Boulevard, Suite 210, Kansas City, Missouri 64108.

1 3. As a Paralegal in the Division, my duties include taking steps to facilitate service
2 of process on investigation subjects and litigation counterparties, including researching corporate
3 registration statuses on state registration websites to identify contact information and registered
4 agents for service of process; researching individuals and entities using additional open-source
5 and licensed tools to identify the same; and coordinating with process servers to facilitate service
6 of process.
7

8 4. I have personal knowledge of the facts stated herein, and if called to testify, I
9 could and would competently testify to the same.

10 5. I reviewed the Ooki DAO’s website (ooki.com) (“Ooki DAO Website”) and did
11 not identify any listed headquarters or physical office location, mailing address, or a listed
12 president, secretary, treasurer, or agent appointed to accept service. The Ooki DAO Website
13 does include a help chat box (“Help Chat Box”) which prompts users to “Ask us anything or
14 share your feedback” and permits the submission of text as well as attachments.
15

16 6. I also reviewed law enforcement databases to which the Commission has access
17 but did not identify any information about the Ooki DAO.

18 7. Separately, the Ooki DAO Website links to an online forum for holders of Ooki
19 Tokens to discuss and vote on Ooki DAO governance issues (forum.ooki.com) (“Online
20 Forum”). A December 14, 2021 post accessible from that site is titled “Welcome to the Ooki
21 DAO Governance Forum!” and states “The purpose of this forum is to share and discuss
22 proposals for potential implementation by the Ooki DAO. If you’re looking for in-depth
23 discussion regarding the future development direction of Ooki then look no further. We expect
24 this forum to be populated by participants within the projects *[sic]* expanding ecosystem. If you
25 hold Ooki Tokens, use the protocol, or plan on developing/are developing on the protocol this is
26 the place to be!”
27
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1 8. I searched the business registration websites maintained by each of the 50 states
2 in the United States for “bZx DAO” and “Ooki DAO.” There were no results in any state
3 indicating either of those entities were or ever had been registered in the state or had ever
4 authorized agents to receive service of process in the state. *See* Exhibit A (chart documenting
5 search).

6
7 9. On September 22, 2022, the Commission filed the complaint in this action. On
8 that date, I provided the complaint, summons, case management scheduling order, and standing
9 orders of the then-assigned magistrate judge to the Ooki DAO through the Ooki DAO Website’s
10 Help Chat Box, and wrote and submitted the following text through the Help Chat Box:

11 Attached please find a complaint filed today in the U.S. District Court for the
12 Northern District of California by the Commodity Futures Trading Commission
13 (CFTC) against the Ooki DAO, Case No. 3:22-cv-05416-TSH, as well as the
14 related summons, case management scheduling order and standing orders of the
15 assigned magistrate judge. Please contact the CFTC at
16 OokiDAOService@CFTC.gov to discuss this matter further.

17
18 10. In addition, on September 22, 2022, I posted the following notification in the
19 Ooki DAO’s Online Forum, and provided a link to the Commission’s press release announcing
20 the litigation (<https://www.cftc.gov/PressRoom/PressReleases/8590-22>):

21 A complaint was filed today in the U.S. District Court for the Northern District of
22 California by the Commodity Futures Trading Commission (CFTC) against the
23 Ooki DAO, Case No. **3:22-cv-05416-TSH**, The Complaint, related summons,
24 case management scheduling order and standing orders of the assigned magistrate
25 judge have been served to you via the Ooki Help Chat function of this website.
26 Please contact the CFTC at OokiDAOService@CFTC.gov to discuss this matter
27 further.

28 11. On September 23, 2022, I posted a similar message in the Help Chat Box noting
that I was attaching the U.S. District Court for the Northern District of California’s Alternative
Dispute Resolution Procedures Handbook and Consenting to the Jurisdiction of a Magistrate
Judge Brochure; the CFTC’s filed declination of the option to proceed before a Magistrate Judge
(ECF No. 8); and the applicable order originally assigning the case to a Magistrate Judge (ECF

1 No. 5); as well as a third message noting that the case had been reassigned to Judge William H.
2 Orrick, noting the new case number, and advising that I was attaching through the Help Chat
3 Box the order reassigning the case to Judge Orrick (ECF No. 10) and Judge Orrick’s standing
4 orders. On that date, I similarly posted messages in the Online Forum noting that I had provided
5 those items through the Help Chat Box.
6

7 12. As of the date of this declaration, the Ooki DAO has not responded to the request
8 to contact the Commission.

9 13. The Ooki DAO’s website (ooki.com) links to the Ooki DAO’s Telegram channel,
10 a chat messaging platform. After filing the complaint on September 22, 2022, I requested and
11 received access to that channel and observed the following:

- 12 • Multiple participants in the Telegram channel discussed the Commission’s
13 complaint against the Ooki DAO. In response to a question from one participant,
14 a person listed as “Frank” (who is designated as a “Community admin”) stated
15 that “i’m sure there will be an official statement from the OokiDAO team soon.”
16 In response to a question from another participant as to when that official
17 statement would occur, the user named Frank stated “[t]he article is one day old
18 let’s give it some time.”
- 19 • In total, I observed at least 38 messages within the Ooki DAO’s Telegram channel
20 discussing the Commission’s complaint against the Ooki DAO.

21 14. In addition, after filing the complaint on September 22, I monitored the Ooki
22 DAO’s Twitter handle (@OokiTrade) as well as Twitter generally for discussions of the
23 Commission’s complaint against the Ooki DAO. Unofficial reporting from publicly available
24 data collection websites indicate there have been over 1,000 tweets since September 22, 2022
25 that mention “Ooki DAO” and “CFTC.”

26 15. The Ooki DAO’s Online Forum lists the number of “views” of each post in the
27 Online Forum. The Online Forum currently lists at least 112 views of the CFTC’s initial post on
28 September 22, 2022 regarding the action.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed September 27, 2022, at Kansas City, Missouri.

/s/ Brittne Snyder
Brittne Snyder

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Exhibit A

Chart Documenting State Business Registration Searches

State	Date searched	Search Results	Location searched
Alabama	8/12/2022	No results for BzX DAO or Ooki DAO	https://arc-sos.state.al.us/CGI/CORPNAME.MBR/INPUT
Alaska	8/12/2022	No results for BzX DAO or Ooki DAO	https://www.commerce.alaska.gov/cbp/main/search/entities
Arizona	8/12/2022	No results for BzX DAO or Ooki DAO	https://ecorp.azcc.gov/EntitySearch/Index
Arkansas	8/12/2022	No results for BzX DAO or Ooki DAO	https://www.sos.arkansas.gov/corps/search_all.php
California	8/12/2022	No results for BzX DAO or Ooki DAO	https://bizfileonline.sos.ca.gov/search/business
Colorado	8/12/2022	No results for BzX DAO or Ooki DAO	https://www.sos.state.co.us/biz/BusinessEntityCriteriaExt.do
Connecticut	8/15/2022	No results for BzX DAO or Ooki DAO	https://service.ct.gov/business/s/onlinebusinesssearch?businessNameEn=LsmwqVcsF9MuzlXyRgC198jaW4HMEHNNfr9w5yfM76s%3D
Delaware	8/15/2022	No results for BzX DAO or Ooki DAO	https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx
Florida	8/15/2022	No results for BzX DAO or Ooki DAO	https://search.sunbiz.org/Inquiry/CorporationSearch/ByName
Georgia	8/15/2022	No results for BzX DAO or Ooki DAO	https://ecorp.sos.ga.gov/BusinessSearch
Hawaii	8/15/2022	No results for BzX DAO or Ooki DAO	https://hbe.hawaii.gov/documents/search.html
Idaho	8/15/2022	No results for BzX DAO or Ooki DAO	https://sospbiz.idaho.gov/search
Illinois	8/15/2022	No results for BzX DAO or Ooki DAO	https://apps.ilsos.gov/corporatellc/CorporateLlcController
Indiana	8/15/2022	No results for BzX DAO or Ooki DAO	https://bsd.sos.in.gov/publicbusinesssearch
Iowa	8/15/2022	No results for BzX DAO or Ooki DAO	https://sos.iowa.gov/search/business/search.aspx

Kansas	8/15/2022	No results for BzX DAO or Ooki DAO	https://www.kansas.gov/bess/flow/main?execution=e1s4
Kentucky	8/15/2022	No results for BzX DAO or Ooki DAO	https://web.sos.ky.gov/ftsearch/
Louisiana	8/15/2022	No results for BzX DAO or Ooki DAO	https://coraweb.sos.la.gov/commercialsearch/commercialsearch.aspx
Maine	8/15/2022	No results for BzX DAO or Ooki DAO	https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x
Maryland	8/16/2022	No results for BzX DAO or Ooki DAO	https://egov.maryland.gov/businessexpress/entitysearch
Massachusetts	8/16/2022	No results for BzX DAO or Ooki DAO	https://corp.sec.state.ma.us/corpweb/CorpSearch/CorpSearch.aspx
Michigan	8/16/2022	No results for BzX DAO or Ooki DAO	https://cofs.lara.state.mi.us/SearchApi/Search/Search
Minnesota	8/16/2022	No results for BzX DAO or Ooki DAO	https://mblsportal.sos.state.mn.us/Business/Search
Mississippi	8/16/2022	No results for BzX DAO or Ooki DAO	https://corp.sos.ms.gov/corp/portal/c/page/corpbusinessidsearch/portal.aspx
Missouri	8/16/2022	No results for BzX DAO or Ooki DAO	https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0
Montana	8/16/2022	No results for BzX DAO or Ooki DAO	https://biz.sosmt.gov/search/business
Nebraska	8/16/2022	No results for BzX DAO or Ooki DAO	https://www.nebraska.gov/sos/corp/corpcsearch.cgi?nav=search
Nevada	8/16/2022	No results for BzX DAO or Ooki DAO	https://esos.nv.gov/EntitySearch/OnlineEntitySearch
New Hampshire	8/16/2022	No results for BzX DAO or Ooki DAO	https://quickstart.sos.nh.gov/online/Account/LandingPage
New Jersey	8/16/2022	No results for BzX DAO or Ooki DAO	https://www.njportal.com/DOR/BusinessNameSearch/Search/BusinessName
New Mexico	8/16/2022	No results for BzX DAO or Ooki DAO	https://portal.sos.state.nm.us/BFS/online/CorporationBusinessSearch

New York	8/16/2022	No results for BzX DAO or Ooki DAO	https://apps.dos.ny.gov/publicInquiry/
North Carolina	8/16/2022	No results for BzX DAO or Ooki DAO	https://www.sosnc.gov/online_services/search/by_title/_Business_Regis tration
North Dakota	8/16/2022	No results for BzX DAO or Ooki DAO	https://firststop.sos.nd.gov/search/business
Ohio	8/16/2022	No results for BzX DAO or Ooki DAO	https://businesssearch.ohiosos.gov/
Oklahoma	8/16/2022	No results for BzX DAO or Ooki DAO	https://www.sos.ok.gov/corp/corpInquiryFind.aspx
Oregon	8/16/2022	No results for BzX DAO or Ooki DAO	https://sos.oregon.gov/business/pages/find.aspx
Pennsylvania	8/16/2022	No results for BzX DAO or Ooki DAO	https://www.corporations.pa.gov/search/corpsearch
Rhode Island	8/17/2022	No results for BzX DAO or Ooki DAO	https://business.sos.ri.gov/CorpWeb/CorpSearch/CorpSearch.aspx
South Carolina	8/17/2022	No results for BzX DAO or Ooki DAO	https://businessfilings.sc.gov/BusinessFiling/Entity/Search
South Dakota	8/17/2022	No results for BzX DAO or Ooki DAO	https://sosenterprise.sd.gov/BusinessServices/Business/FilingSearch.aspx
Tennessee	8/17/2022	No results for BzX DAO or Ooki DAO	https://tnbear.tn.gov/Ecommerce/FilingSearch.aspx
Texas	8/17/2022	No results for BzX DAO or Ooki DAO	https://mycpa.cpa.state.tx.us/coa/
Utah	8/17/2022	No results for BzX DAO or Ooki DAO	https://secure.utah.gov/bes/index.html
Vermont	8/17/2022	No results for BzX DAO or Ooki DAO	https://bizfilings.vermont.gov/online/BusinessInquire
Virginia	8/17/2022	No results for BzX DAO or Ooki DAO	https://cis.scc.virginia.gov/EntitySearch/Index
Washington	8/17/2022	No results for BzX DAO or Ooki DAO	https://ccfs.sos.wa.gov/#/

West Virginia	8/17/2022	No results for BzX DAO or Ooki DAO	https://apps.wv.gov/SOS/BusinessEntitySearch/
Wisconsin	8/17/2022	No results for BzX DAO or Ooki DAO	https://www.wdfr.org/apps/CorpSearch/Search.aspx?
Wyoming	8/17/2022	No results for BzX DAO or Ooki DAO	https://wyobiz.wyo.gov/Business/FilingSearch.aspx