

COMMONWEALTH OF KENTUCKY  
FRANKLIN CIRCUIT COURT  
DIVISION II  
CIVIL ACTION NO.: 08-CI-1409

COMMONWEALTH OF KENTUCKY  
ex rel. J. Michael Brown, Secretary,  
Justice And Public Safety Cabinet,

PLAINTIFF

vs.

MOTION FOR LEAVE TO JOIN ADDITIONAL  
PARTIES AND TO AMEND COMPLAINT

141 INTERNET DOMAIN NAMES

DEFENDANTS

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Comes the Plaintiff, Commonwealth of Kentucky *ex rel.* J. Michael Brown, Secretary, Justice and Public Safety Cabinet (“Commonwealth”), by and through counsel, hereby moves this Honorable Court for Leave to Join Additional Parties and to Amend the Complaint in this civil action. In support of this Motion, Plaintiff states as follows:

Pursuant to CR 15.01, leave to amend the complaint shall be freely given when justice so requires. In this instance, the Commonwealth brought this civil action naming as Defendants 141 Internet Domain Names, for reasons including that the owners and operators of the gambling enterprises are located offshore in an attempt to avoid jurisdiction and take great pains to remain anonymous and to conceal their involvement in the enterprise. In the course of the litigation and the Commonwealth’s continuing investigation, the Commonwealth has learned the identity of certain entities and individuals involved in internet gambling operations, some of whom are U.S. citizens. The Commonwealth asks for leave to amend its Complaint to add causes of action against these individuals and entities *in personam*. Pursuant to CR 20.01, joinder is permitted as the Commonwealth’s right to relief against the additional parties arises out of the same transactions and occurrences and involve common questions of fact and law. The

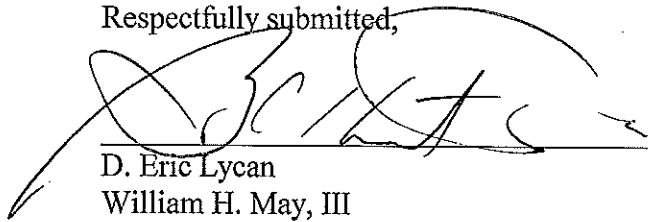
Commonwealth contemplates that further amendments will be sought as its investigation and discovery in this litigation continue.

**WHEREFORE**, the Plaintiff, Commonwealth of Kentucky *ex. rel* J. Michael Brown, Secretary, Cabinet for Justice and Public Safety, respectfully moves for leave to file his Third Amended Complaint.

**NOTICE OF HEARING**

All parties will hereby take notice that the foregoing Motion will come on for hearing before the Hon. Judge Thomas Wingate, Franklin Circuit Court, Division II, Frankfort, Kentucky, on **January 20, 2010, at the hour of 9:00 a.m.**, or as soon thereafter as counsel may be heard.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing has this 16<sup>th</sup> day of December, 2009 been served by first-class United States Mail, postage prepaid to the following:

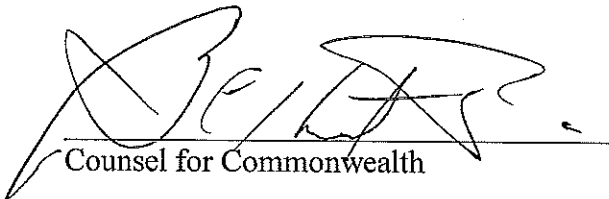
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