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25 **UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27 LIBERTY MEDIA HOLDINGS, LLC, a  
28 California Corporation,

Plaintiff,

vs.

FF MAGNAT LIMITED, d/b/a Oron.com;  
MAXIM BOCHENKO, a/k/a Roman  
Romanov; and John Does 1-500,

Defendants.

Case No.: 2:12-cv-01057-GMN-RJJ

**ORON'S EMERGENCY MOTION FOR  
DISBURSEMENT OF ADDITIONAL  
FUNDS**

Judge: Hon. Gloria N. Navarro

1 Pursuant to this Court's June 26, 2012 Order, Defendant FF Magnat Limited dba Oron.com  
2 ("Oron") hereby moves this Court to allow for the disbursement of additional funds so that Oron may  
3 pay its certain business expenses that are necessary to keep operating. Oron further requests that  
4 Oron's payment processor be permitted to accept payments to Oron, provided that the payments  
5 received shall remain subject to this Court's TRO.

## 6 I. FACTUAL AND PROCEDURAL BACKGROUND

7 On June 20, 2012, Liberty Media sought a preliminary injunction and restraining order  
8 against Oron (ECF Nos. 2 and 3). On June 22, 2012, the Court granted Liberty Holdings Motion for  
9 Temporary Restraining Order ("June 22 Order") and ordered that all U.S banks or financial  
10 institutions belonging to Oron as well as all payment processors used by Oron, including PayPal,  
11 Inc., CCBill, LLC, and AlertPay, freeze any and all of Oron's funds from being withdrawn until the  
12 Preliminary Injunction hearing in this matter (ECF No. 13). *See* June 22 Order at 2-3.

13 Pursuant to Oron's Emergency Motion for Partial Relief, the Court issued an Order on June  
14 26, 2012 ("June 26 Order"), which authorized \$100,000 U.S. dollars to be released from Oron's  
15 PayPal account (ECF No. 19), and invited Oron to file a subsequent motion for additional funds, if  
16 needed. *See* June 26 Order at 1.

## 17 II. ARGUMENT

### 18 A. The Court Should Allow the Disbursement of Additional Funds to Allow Oron 19 to Pay Its Fees to Server Hosting Providers.

20 As explained in Oron's Emergency Motion, Oron's website is hosted by a third service  
21 provider, who charges a monthly fee for its hosting services. Without use of those servers, or access  
22 to payment processors like PayPal, Oron will not be able to continue its business.

23 After Oron's hosting provider received notice of the Court's TRO, LeaseWeb informed Oron  
24 that, in addition to the usual monthly fee, LeaseWeb was requiring an advance payment.  
25 Specifically, Oron must pay LeaseWeb B.V., its server hosting provider, EUR 71.736,22 by July 1,  
26 2012, and a further amount of EUR 277.109,07 by July 9, 2012. *See* LeaseWeb Legal Notice dated  
27 July [sic] 26, 2012 attached hereto as Exhibit A to the Declaration of Stevan Lieberman ("Lieberman

1 Decl.”). Oron had anticipated that it would make those payments from its bank account in Hong  
2 Kong, as the Hong Kong asset order allows the payment of business expenses and the Court’s Order  
3 from yesterday clarified that the June 26 Order does not prohibit payment of the business expenses  
4 from the Hong Kong account.

5 Unfortunately, Oron's Hong Kong bank has refused to disburse funds until the Hong Kong  
6 Court holds a hearing on the Hong Kong asset order on July 7th. *See* E-mail exchange attached  
7 hereto as Exhibit B to Lieberman Declaration.

8 The only remaining source of funding is from Oron's PayPal, Inc. account in the United  
9 States. Therefore, Oron urgently requests that the Court issue an order modifying the June 26 Order  
10 so as to allow PayPal, Inc. to release funds to pay the server invoices attached as Exhibit A. Given  
11 the July 1 deadline for that payment, Oron asks that the Court issue an order as soon as possible to  
12 permit the transfer of the required funds directly from PayPal to LeaseWeb.

13 **B. The Court Should Allow PayPal, Inc. To Process Payments for Oron.**

14 The freeze imposed by the June 22 Order prohibits Oron’s payment processors, *i.e.*, PayPal,  
15 Inc., CCBill, LLC, and AlertPay, from processing payments for Oron. *See* June 22 Order at 2-3.  
16 Since learning of the TRO, Oron's payment processors have refused to service Oron. As a result,  
17 customers of Oron cannot remit payment to the company and Oron cannot generate revenue. Oron  
18 respectfully requests that the TRO be modified to specify that PayPal is free to process payments for  
19 Oron, with any funds received by Oron to remain subject to the Court's TRO.

20 **III. CONCLUSION**

21 For the foregoing reasons, Oron respectfully requests that this Court grant this Motion.

22 Dated: June 28, 2012

WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

23  
24 By: 

25 DAVID S. KAHN

26 Attorneys for Defendant

27 FF MAGNAT LIMITED, d/b/a Oron.com