

**IN THE 15TH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA**

RAMONA ANG, as Trustee of the TULIP TRUST,  
Successor-in-Interest to CRAIG WRIGHT R&D,

Case No. \_\_\_\_\_

Plaintiff,

v.

IRA KLEIMAN, as Personal Representative of the  
Estate of Dave Kleiman,

Defendant.

\_\_\_\_\_ /

**COMPLAINT AND JURY DEMAND**

Plaintiff Ramona Ang, as trustee of the Tulip Trust, sues defendant Ira Kleiman as personal representative of the Estate of David Kleiman (the "Estate") and states as follows:

**PARTIES**

1. Plaintiff Ramona Ang ("Ramona") is the sole trustee of the Tulip Trust, a trust organized under the laws of Seychelles. The Tulip Trust is successor-in-interest to the interest of Craig Wright R&D in W&K Info Defense Research LLC ("W&K").

2. Craig Wright R&D, an Australian entity identified by ABN 97481146384, was a shareholder of W&K, a Florida limited liability company. Craig Wright R&D's interest in W&K is now held by the Tulip Trust.

3. Defendant Ira Kleiman ("I. Kleiman") is a resident of Palm Beach County, Florida. He is the brother of David Kleiman ("D. Kleiman") and personal representative of the Estate. Prior to his death, D. Kleiman was the managing member of W&K.

## **JURISDICTION AND VENUE**

4. This Court has jurisdiction over this action pursuant Fla. Stat. § 26.012 because the amount in controversy exceeds \$30,000, exclusive of costs, interest, and attorney's fees.

5. Venue lies within this circuit under Fla. Stat. § 47.011 because defendant I. Kleiman resides in this county and because he negligently, grossly negligently, and recklessly destroyed property belonging to W&K and its members, including the Tulip Trust, in this county.

## **INTRODUCTION**

6. I. Kleiman has commenced a multi-billion-dollar lawsuit (the "Lawsuit") in federal court against Craig Wright ("Dr. Wright") for, among other things, allegedly misappropriating bitcoins D. Kleiman purported to own through W&K.

7. Prior to D. Kleiman's death, Craig Wright R&D and D. Kleiman both held an interest in W&K. In the Lawsuit, I. Kleiman as the personal representative of the Estate of D. Kleiman (the "Estate") alleges that he stepped into D. Kleiman's shoes as the managing member of W&K. As such, he owes a fiduciary duty to its members.

8. In the Lawsuit, I. Kleiman also alleges that W&K mined bitcoins now worth billions of dollars, some held for the benefit of Craig Wright R&D, predecessor-in-interest to the Tulip Trust.

9. Beginning shortly after D. Kleiman's death and continuing through at least October 2018, I. Kleiman systematically destroyed documents and electronic data that would have contained the private keys and information regarding those keys needed to access any bitcoins held by W&K.

10. As a result of that destruction, the Tulip Trust has suffered substantial damages in the form of bitcoins it can no longer access.

## **FACTUAL ALLEGATIONS**

### **I. General Information Relating to Bitcoin and Its Storage**

11. Bitcoin is a form of digital cash. There are no physical bitcoins, only electronic tokens of value that can be traced on a public ledger—the blockchain.

12. To conduct transactions with bitcoins, one must have a public address in which to receive bitcoins. Each public address consists of a unique string of numbers and letters, typically anywhere from 26 to 35 characters in length. Each public address also has a private key (similar to an incredibly complex password) associated with it. The owner needs the private key associated with the public address to spend bitcoins identified by the public address.

13. An owner can store multiple public addresses in a bitcoin “wallet.”

14. Bitcoin public addresses, private keys and wallets are often stored on a mobile device, computer, or electronic storage device. Alternatively, they can be reduced to writing and printed in hard copy.

### **II. I. Kleiman’s Knowledge of Computers, Computer Forensics and Bitcoin**

15. I. Kleiman is a website designer with extensive computer knowledge. Specifically, he has been employed in website design and marketing for 22 years and, through his work, became familiar with how to preserve, overwrite, and restore data on electronic devices.

16. Because of I. Kleiman’s computer knowledge, he knew or should have known that writing data to an electronic storage device and reformatting a computer drive could permanently delete data.

**III. I. Kleiman Grossly Negligently and Recklessly Destroyed Data as Estate Representative**

17. After D. Kleiman’s death, I. Kleiman was appointed as the personal representative of the Estate and, as alleged in the Lawsuit, stepped into D. Kleiman’s shoes as managing member of W&K.

18. In that role, I. Kleiman went to D. Kleiman’s house to begin cleaning it out. He also hired a professional cleaning crew to assist him with the process. I. Kleiman did not secure D. Kleiman’s work papers or electronic devices prior to the professional cleaning.

**A. I. Kleiman Destroyed D. Kleiman’s Paper Files**

19. During the cleaning process, I. Kleiman discarded papers he located throughout D. Kleiman’s home, including in his bedroom and office. Before discarding a document, I. Kleiman read it only briefly, discarding papers without taking any steps to determine their importance.

20. At his April 8, 2019, and January 10, 2020, depositions in the Lawsuit, I. Kleiman admitted that he could have thrown away papers containing important information relating to W&K’s bitcoin holdings and the means to access those holdings.

**B. I. Kleiman Destroyed D. Kleiman’s Electronic Data**

21. I. Kleiman collected over 20 electronic devices from D. Kleiman’s home. Those devices included the following:

<b>Item No.</b>	<b>Device Description</b>	<b>Type</b>
1	Seagate Momentus	External HDD
2	WD Scorpio Blue	External HDD
3	Seagate Momentus	External HDD
4	Hitachi Travelstar	External HDD
5	WD Scorpio Black	External HDD
6	Corsair Survivor Stealth TD Black	Thumb Drive
7	Corsair Survivor Stealth TD Gray Orange	Thumb Drive
8	Corsair Survivor Stealth TD Gray Blue	Thumb Drive
9	Corsair Survivor Stealth TD Gray Blue 2	Thumb Drive
10	IACIS TD	Thumb Drive

Item No.	Device Description	Type
11	Micro Vault Tiny	Thumb Drive
12	Sandisk Cruzer Micro	Thumb Drive
13	CEIC 2009	Thumb Drive
14	Key Thumbdrive	Thumb Drive

22. I. Kleiman reformatted, or otherwise modified, at least 11 of the above-listed devices for his personal use. He did so despite his knowledge that reformatting a device could result in the permanent deletion of data existing on the device at the time of its reformatting.

23. Specifically, timestamps on certain file system structures indicate that I. Kleiman reformatted two thumb drives (items 10 and 12) and two Seagate hard drives (items 1 and 3).

24. I. Kleiman also installed new operating software on the two Seagate hard drives (items 1 and 3), based on values stored within each device's Windows registry. The installation of a new operating system requires the creation of thousands of new files, which fully or partially overwrote areas of the drive marked as available and significantly reduced the ability to recover previously deleted data.

25. File created and last modified timestamps indicate that I. Kleiman added or modified active data on all but one of the above-listed devices.

26. As for the remaining devices that I. Kleiman found in D. Kleiman's home, I. Kleiman threw out one hard drive and gave four or five hard drives to his brother's business partner Patrick Paige. I. Kleiman did not examine the drives before giving them away.

**C. I. Kleiman Continued to Use D. Kleiman's Devices Despite Knowing They Likely Contained W&K's Bitcoin Holdings and then Attempted to Sell Those Devices**

27. I. Kleiman admitted to Dr. Wright that I. Kleiman threw "away a bunch of D. Kleiman's papers and format[ed] hard drives." In response, Dr. Wright told I. Kleiman to cease

use of D. Kleiman's electronic devices to preserve any data existing on the devices that had not already been altered or destroyed.

28. Despite Dr. Wright's clear advice that he stop using D. Kleiman's devices, I. Kleiman continued to use 11 of the above-listed electronic devices for his personal use until at least October 1, 2018, as evidenced by file created timestamps on those devices.

29. I. Kleiman never attempted to recover any of the data that he deleted. Nor did he hire an expert to attempt to recover any data. Instead, I. Kleiman sought to sell D. Kleiman's electronic devices to the highest bidder.

30. Because I. Kleiman discarded and destroyed evidence, including the bitcoin private keys and all evidence related to them, critical information regarding W&K's bitcoins is permanently lost. As such, the Tulip Trust can no longer access any bitcoins that W&K held.

### **CLAIMS FOR RELIEF**

#### **COUNT ONE – NEGLIGENCE**

31. The Tulip Trust incorporates paragraphs 1 through 30 of this Complaint.

32. I. Kleiman, in his capacity as personal representative of the Estate and self-proclaimed managing member of W&K, owed a duty of care to W&K and the Tulip Trust.

33. Defendant I. Kleiman breached his duty to the Tulip Trust by destroying documents and data on electronic devices that he knew or should have known contained critical information related to bitcoins held by W&K, including the bitcoin private keys.

34. As a result of that breach, the Tulip Trust has irretrievably lost access to its interest in W&K's bitcoins stored on documents and electronic devices destroyed or altered by defendant I. Kleiman, rendering the bitcoins inaccessible.

## **COUNT TWO – BREACH OF FIDUCIARY DUTY**

35. The Tulip Trust incorporates paragraphs 1 through 30 of this Complaint.

36. I. Kleiman, in his capacity as personal representative of the Estate and self-proclaimed managing member of W&K, owed fiduciary duties of care and loyalty to W&K and the Tulip Trust.

37. Defendant I. Kleiman breached his duties to the Tulip Trust by intentionally deleting data and using D. Kleiman's electronic devices, after acknowledging that those devices contained critical information needed to access the bitcoins held by W&K, including the bitcoin private keys, and after being advised by Dr. Wright to preserve them.

38. In the alternative, defendant I. Kleiman breached his duties to the Tulip Trust by intentionally deleting data and using D. Kleiman's electronic devices after commencing the Lawsuit in February 2018 and thereby destroying critical information needed to access the bitcoins held by W&K, including the bitcoin private keys.

39. In so doing, defendant I. Kleiman acted with gross negligence and recklessness, as he knew that his deletion of the data on D. Kleiman's devices, and his continued use of those devices, would permanently destroy critical information related to W&K's bitcoin holdings.

40. As a result of defendant I. Kleiman's dereliction of his duties, the Tulip Trust has irretrievably lost access to its interest in W&K's bitcoins stored on documents and electronic devices destroyed and altered by defendant, rendering the value of the Tulip Trust's interest in the bitcoins held by W&K completely worthless.

WHEREFORE, the Tulip Trust demands judgment against defendant I. Kleiman awarding damages and other relief as the Court deems just, equitable and proper.

The Tulip Trust demands a jury trial for all issues triable by right.

Dated: April 13, 2021

Respectfully Submitted,

RIVERO MESTRE LLP  
Attorneys for the Tulip Trust  
2525 Ponce de Leon Blvd.  
Suite 1000  
Miami, Florida 33134  
Telephone: (305) 445-2500  
Facsimile: (305) 445-2505  
E-mail: [arivero@riveromestre.com](mailto:arivero@riveromestre.com)  
E-Mail: [amcgovern@riveromestre.com](mailto:amcgovern@riveromestre.com)

By: /s/ Andres Rivero \_\_\_\_\_  
Andrés Rivero  
Florida Bar No.: 613819  
[arivero@riveromestre.com](mailto:arivero@riveromestre.com)  
Amanda McGovern  
Florida Bar No.: 964263  
[amcgovern@riveromestre.com](mailto:amcgovern@riveromestre.com)

**CERTIFICATE OF SERVICE+**

I certify that on April 13, 2021, I electronically filed this document with the Clerk of the Court using CM/ECF. I also certify that this document is being served today on all counsel of record by transmission of Notices of Electronic Filing generated by CM/ECF or by U.S. Mail.

/s/Andres Rivero  
Andrés Rivero