

FILED

IN THE DISTRICT COURT FOR THE FIRST JUDICIAL DISTRICT STATE OF
WYOMING, COUNTY OF LARAMIE

CHUCK GRAY, Wyoming Secretary of
State,

Petitioner,

v.

AMERICAN CRYPTO FED DAO, LLC,

Respondent.

Civil Action No: 2024-CV-0202917

SECRETARY’S ANSWER TO COUNTERCLAIM

Secretary of State Chuck Gray, through the Wyoming Attorney General’s Office,
answers CryptoFed’s counterclaim as follows:

PARTIES

1. Admit that American CryptoFed DAO LLC is a Wyoming DAO Limited Liability Company formed under the Wyoming Limited Liability Company Statute, as extended by the Decentralized Autonomous Organization Supplement.
2. Admit.

JURISDICTION AND VENUE

3. Admit.

4. Admit.

FACTS

5. Admit that CryptoFed has sent correspondence to the Secretary over time.

Deny that CryptoFed seeks “clarification” in its correspondence.¹

6. Admit that the Secretary refused to issue a no-action letter on August 1, 2024.

7. Admit that the Select Committee on Blockchain, Financial Technology and Digital Innovation Technology met, among other days, on September 16, 2024. Admit that the Secretary wrote a letter to CryptoFed dated October 17, 2024, refusing to issue a no-action letter based on its conclusion that Locke tokens would be securities if issued. Deny any remaining factual allegations.

8. Admit that CryptoFed accurately quotes a partial sentence in the Secretary’s October 17, 2024, letter to CryptoFed. All other allegations are legal conclusions that do not require an answer.

9. Admit that CryptoFed sent the Secretary a letter on October 28, 2024. Admit that CryptoFed asked the Secretary to pursue discretionary remedies pursuant to Wyo. Stat. Ann. § 17-4-604(a)(i).

¹ CryptoFed’s attachments to its counterclaim, including Exhibit 1 referenced in this allegation, are not “written instrument[s]” that may be incorporated into a pleading under Wyo. R. Civ. P. 10(c). *See Heimer v. Heimer*, 2021 WY 97, ¶¶ 23-25, 494 P.3d 472, 479-80 (Wyo. 2021). Accordingly, the Secretary need not and does not respond to them.

10. Admit that CryptoFed sent letters to the Secretary on November 17 and 28 and December 6 and 15, 2024. Admit that CryptoFed asked the Secretary to pursue discretionary remedies pursuant to Wyo. Stat. Ann. § 17-4-604(a)(i).

CAUSE OF ACTION

11. This paragraph contains legal allegations that do not require a response.

12. The Secretary is without knowledge sufficient to admit or deny this allegation and therefore denies it.

13. This paragraph contains legal allegations that do not require a response.

14. This paragraph contains legal allegations that do not require a response.

Dated this 18th day of June, 2025.

/s/ Mackenzie Williams

Mackenzie Williams, Bar No. 6-4250
Senior Assistant Attorney General
109 State Capitol
Cheyenne, WY 82002
307-777-8781
mackenzie.williams@wyo.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18 day of June, 2025, the foregoing
was served on the following using the indicated methods:

FileAndServeXpress:

L. Cooper Overstreet
Overstreet Homar & Kuker
2922 Central Ave.
Cheyenne, WY 82001
cooper@kukerlaw.com

Courtesy Copy for Chambers
Hon. Benjamin M. Burningham

/s/ Mackenzie Williams
Office of the Attorney General