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## Cahill Files Amicus Brief on Behalf of The Digital Chamber Defending Digital Property Rights in New York Bitcoin "Abandoned Property" Case

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On July 6, 2026, Cahill, in collaboration with Brown Rudnick LLP, filed an amicus brief on behalf of The Digital Chamber (TDC) in a New York County Supreme Court lawsuit in which anonymous plaintiffs are seeking to claim other individuals' Bitcoin as "abandoned property" and explains why the plaintiffs' theory should be rejected.

The plaintiffs argue that Bitcoin held in wallets that have been inactive for an extended period should be treated as "abandoned property" that can be claimed by "finders." The TDC's brief explains that this theory is fundamentally at odds with the common practice of digital asset holders, who may intentionally leave assets untouched for years as part of long-term investment strategies or cold storage security practices, and that inactivity does not reflect an intent to relinquish ownership.

The brief argues that accepting the plaintiffs' theory would upset the settled expectations underlying hundreds of billions of dollars in digital assets, violate basic property law principles, and undermine the practice of self-custody and cold storage that are core to security practices for digital asset holders. It would also cloud title to digital assets, create significant uncertainty for exchanges, custodians, lenders, and investors, and threaten the privacy of users who transact pseudonymously. The brief further argues that the court lacks jurisdiction over the 39,069 wallets at issue, whose owners are unknown and dispersed around the world, and that New York's lost-property statute was not designed or intended to transfer ownership of digital assets based solely on a period of inactivity.

Clear and enforceable property rights are foundational to innovation, investment, and the responsible adoption of blockchain technology, and the brief underscores that a ruling in favor of the plaintiffs' theory could create a precedent allowing third parties to claim digital assets from any wallet perceived as dormant, regardless of the owner's intent.

The full brief is available [here](#).

The Cahill team was led by partners and CahillNXT co-chairs Samson Enzer and Lewis Rinaudo Cohen, and included partner Miles Wiley, and counsel Gregory Mortenson. Brown Rudnick, acted as The Digital Chamber's co-counsel, led by partner Stephen Palley and including associate Johanna Fay, and The Digital Chamber's Jonathan Schmalfeld also contributed to the brief.

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