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April 22, 2022

VIA ECF

Hon. Sarah Netburn
United States Magistrate Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *SEC v. Ripple Labs Inc. et al.*, No. 20-cv-10832 (AT)(SN) (S.D.N.Y.)

Dear Judge Netburn:

Pursuant to the Court's March 23, 2022 order, ECF No. 452, Plaintiff Securities and Exchange Commission ("SEC") and Defendants Ripple Labs Inc., Bradley Garlinghouse, and Christian A. Larsen respectfully request that the Court enter the following briefing schedule for summary judgment motions and motions to exclude the testimony of experts pursuant to Rule 702-705 of the Federal Rules of Evidence and the *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), line of cases:

- Motions for summary judgment, Rule 56.1 Statements, and motions to exclude expert testimony must be filed by August 2, 2022.
- Oppositions to any motions for summary judgment, responses to Rule 56.1 Statements, and responses to motions to exclude expert testimony must be filed by November 2, 2022.
- Replies to any opposition must be filed by December 20, 2022.

This schedule would not apply to any motions to exclude the expert testimony of Anthony M. Bracco, who offered testimony about the remedies available in this case. The parties agree that any motion to exclude Mr. Bracco's testimony should be postponed until the issue of remedies is ripe, following the completion of motion practice on liability and any additional fact or expert discovery on the issue of disgorgement.

Under this Court's Practice Rules, memoranda in support of summary judgment are limited to 30 pages. There are three defendants. The parties propose that each side will have a total of 90 pages for its summary judgment motions and oppositions and 45 pages for replies. Those pages can be divided among the three defendants, and allocated by the SEC, at their discretion. Each *Daubert* motion and response will be limited to 25 pages per side, provided, however, that any party may seek leave of Court to file an omnibus *Daubert* motion exceeding 25 pages, if appropriate.

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Respectfully submitted,

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