

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RIPPLE LABS INC., BRADLEY
GARLINGHOUSE, and CHRISTIAN
A. LARSEN,

Defendants.

Case No. 20-CV-10832 (AT) (SN)

**DECLARATION OF KYLIE CHISEUL KIM IN SUPPORT OF
DEFENDANTS' MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF'S
OMNIBUS MOTION TO EXCLUDE THE TESTIMONY OF
DEFENDANTS' EXPERT WITNESSES**

I, Kylie Chiseul Kim, hereby declare under penalty of perjury pursuant to 28 U.S.C.

§ 1746 as follows:

1. I am an associate at the law firm of Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., and counsel to Defendant Ripple Labs Inc. I submit this declaration in support of Defendants' Memorandum of Law in Opposition to Plaintiff's Omnibus Motion To Exclude the Testimony of Defendants' Expert Witnesses.

2. Attached as **Exhibit 1** to this declaration is a true and correct copy of the Expert Report of Alan Schwartz dated Oct. 4, 2021.

3. Attached as **Exhibit 2** to this declaration is a true and correct copy of the Feb. 11, 2022 Deposition Transcript of Alan Schwartz.

4. Attached as **Exhibit 3** to this declaration is a true and correct copy of the Alan Schwartz Deposition Exhibit AS-5.

5. Attached as **Exhibit 4** to this declaration is a true and correct copy of the Expert Report of Allen Ferrell dated Oct. 4, 2021.
6. Attached as **Exhibit 5** to this declaration is a true and correct copy of the Feb. 23, 2022 Deposition Transcript of Allen Ferrell.
7. Attached as **Exhibit 6** to this declaration is a true and correct copy of the SEC's Responses and Objections to Ripple's First Set of Interrogatories dated July 1, 2021.
8. Attached as **Exhibit 7** to this declaration is a true and correct copy of the Feb. 18, 2022 Deposition Transcript of [REDACTED] (SEC Expert No. 5).
9. Attached as **Exhibit 8** to this declaration is a true and correct copy of the Amended Expert Report of [REDACTED] (SEC Expert No. 3) dated Oct. 13, 2021.
10. Attached as **Exhibit 9** to this declaration is a true and correct copy of the Expert Rebuttal Report of [REDACTED] (SEC Expert No. 3) dated Nov. 12, 2021.
11. Attached as **Exhibit 10** to this declaration is a true and correct copy of the Expert Report of [REDACTED] (SEC Expert No. 1) dated Oct. 4, 2021.
12. Attached as **Exhibit 11** to this declaration is a true and correct copy of the Expert Rebuttal Report of Allen Ferrell dated Nov. 12, 2021.
13. Attached as **Exhibit 12** to this declaration is a true and correct copy of the Feb. 15, 2022 Deposition Transcript of [REDACTED] (SEC Expert No. 3).
14. Attached as **Exhibit 13** to this declaration is a true and correct copy of the Supplemental Expert Report of Allen Ferrell dated May 13, 2022.
15. Attached as **Exhibit 14** to this declaration is a true and correct copy of the Supplemental Expert Report of [REDACTED] (SEC Expert No. 5) dated Feb. 28, 2022.

16. Attached as **Exhibit 15** to this declaration is a true and correct copy of the Amended Expert Report of [REDACTED] (SEC Expert No. 5) dated Oct. 6, 2021.

17. Attached as **Exhibit 16** to this declaration is a true and correct copy of the Expert Rebuttal Report of Daniel R. Fischel dated Nov. 12, 2021.

18. Attached as **Exhibit 17** to this declaration is a true and correct copy of the Feb. 28, 2022 Deposition Transcript of Daniel R. Fischel.

19. Attached as **Exhibit 18** to this declaration is a true and correct copy of the Supplemental Expert Report of Daniel R. Fischel dated May 13, 2022.

20. Attached as **Exhibit 19** to this declaration is a true and correct copy of the Expert Rebuttal Report of M. Laurentius Marais dated Nov. 12, 2021.

21. Attached as **Exhibit 20** to this declaration is a true and correct copy of the Dec. 21, 2021 Deposition Transcript of M. Laurentius Marais.

22. Attached as **Exhibit 21** to this declaration is a true and correct copy of the Supplemental Expert Report of M. Laurentius Marais dated May 13, 2022.

23. Attached as **Exhibit 22** to this declaration is a true and correct copy of the Expert Report of Peter Easton dated Oct. 4, 2021.

24. Attached as **Exhibit 23** to this declaration is a true and correct copy of the Dec. 8, 2021 Deposition Transcript of Peter Easton.

25. Attached as **Exhibit 24** to this declaration is a true and correct copy of the Expert Rebuttal Report of Peter Easton dated Nov. 12, 2021.

26. Attached as **Exhibit 25** to this declaration is a true and correct copy of the Expert Report of Bradley Borden dated Oct. 4, 2021.

27. Attached as **Exhibit 26** to this declaration is a true and correct copy of the Expert Report of Carol Osler dated Oct. 4, 2021.

28. Attached as **Exhibit 27** to this declaration is a true and correct copy of the Dec. 21, 2021 Deposition Transcript of Carol Osler.

29. Attached as **Exhibit 28** to this declaration is a true and correct copy of the Expert Rebuttal Report of Carol Osler dated Nov. 12, 2021.

30. Attached as **Exhibit 29** to this declaration is a true and correct copy of the Expert Report of Peter Adriaens dated Oct. 4, 2021.

31. Attached as **Exhibit 30** to this declaration is a true and correct copy of the Expert Report of Yesha Yadav dated Oct. 4, 2021.

32. Attached as **Exhibit 31** to this declaration is a true and correct copy of the Feb. 11, 2022 Deposition Transcript of Yesha Yadav.

33. Attached as **Exhibit 32** to this declaration is a true and correct copy of the Feb. 8, 2022 Deposition Transcript of Peter Adriaens.

34. Attached as **Exhibit 33** to this declaration is a true and correct copy of the Expert Rebuttal Report of Peter Adriaens dated Nov. 12, 2021.

35. Attached as **Exhibit 34** to this declaration is a true and correct copy of the Amended Expert Report of [REDACTED] (SEC Expert No. 4) dated Jan. 25, 2022.

36. Attached as **Exhibit 35** to this declaration is a true and correct copy of the Expert Rebuttal Report of Kristina Shampanier dated Nov. 12, 2021.

37. Attached as **Exhibit 36** to this declaration is a true and correct copy of the Feb. 16, 2022 Deposition Transcript of [REDACTED] (SEC Expert No. 1).


38. Attached as **Exhibit 37** to this declaration is a true and correct copy of the Dec. 20, 2021 Deposition Transcript of Kristina Shampanier.

39. Attached as **Exhibit 38** to this declaration is a true and correct copy of the Errata Sheet for the Dec. 20, 2021 Deposition Transcript of Kristina Shampanier.

I hereby declare under the penalty of perjury that, to the best of my knowledge, information, and belief, the foregoing is true and correct.

Dated: August 9, 2022
Washington, D.C.

By:


Kylie Chiseul Kim

KELLOGG, HANSEN, TODD,
FIGEL & FREDERICK, P.L.L.C.
Sumner Square
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
+1 (202) 326-7900
kkim@kellogghansen.com