



DIVISION OF
ENFORCEMENT

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

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September 18, 2024

Via ECF

The Honorable Katherine Polk Failla, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Securities and Exchange Commission v. Coinbase, Inc. and Coinbase Global, Inc.*,
23 Civ. 4738 (KPF)

Dear Judge Failla:

Pursuant to Local Rule 7.1(d) of the Local Rules of the U.S. District Courts for the Southern and Eastern Districts of New York and Rule 2(C) of the Court's Individual Rules of Practice in Civil Cases, Plaintiff Securities and Exchange Commission ("SEC") respectfully seeks an extension of the deadline to complete fact discovery by four months from October 18, 2024 to February 18, 2025, and to amend the previously-entered Civil Case Management Plan and Scheduling Order (ECF No. 116) in the above-captioned case ("Case Management Plan") accordingly. Coinbase, Inc. and Coinbase Global, Inc. (collectively, "Defendants") consent to the requested extension.

The SEC's discovery efforts in this action have been extensive, including producing hundreds of thousands of documents to Defendants. *See generally* ECF No. 161. In ruling on Defendants' Motion to Compel, ECF No. 145, the Court ordered the SEC to undertake a review of additional documents. *See* ECF No. 160 ("Order").

Since then, as ordered by the Court, the parties conferred and have reached an agreement in principle concerning the search terms and custodians for the SEC's search and review of potentially responsive material. Pursuant to that agreement, the SEC is undertaking a review of at least 133,582 unique documents. The requested extension will provide the SEC the necessary time to comply with the Court's Order. *See also* ECF No. 161 (recognizing the potential need for an extension of fact discovery).

No party has previously requested an extension of the deadline to complete fact discovery. The requested extension of the deadline to complete fact discovery would affect the subsequent deadlines contained in the Case Management Plan. As such, the parties request that all such deadlines also be extended by four months, as specified in the proposed Revised Civil Case Management Plan and Scheduling Order attached hereto as Appendix A.

Respectfully submitted,



Rebecca R. Dunnan

*Counsel for Plaintiff
Securities and Exchange Commission*

Cc: All counsel of record (via ECF)

Application GRANTED. The deadline for fact discovery and subsequent deadlines contained in the Case Management Plan (Dkt. #116) are extended in accordance with the revised Case Management Plan, which the Court has endorsed under separate cover.

The pretrial conference previously scheduled for October 24, 2024, is hereby ADJOURNED to **March 6, 2025**, at **11:00 a.m.**, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007.

The Clerk of Court is directed to terminate the pending motion at docket number 164.

Dated: September 19, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE