

LATHAM & WATKINS LLP
 Manny A. Abascal, *pro hac vice*
manny.abascal@lw.com
 Michael A. Galdes, *pro hac vice*
michael.galdes@lw.com
 Jared A. Forbus, *pro hac vice*
jared.forbus@lw.com
 355 South Grand Avenue, Suite 100
 Los Angeles, CA 90071-1560
 Tel: (213) 485-1234
 Fax: (213) 891-8763

HUTCHISON & STEFFEN
 Mark A. Hutchison (Bar No. 4639)
mhutchison@hutchlegal.com
 Joseph R. Ganley (Bar No. 5643)
jganley@hutchlegal.com
 Piers R. Tueller (Bar No. 14633)
ptueller@hutchlegal.com
 10080 West Alta Drive, Suite 200
 Las Vegas, Nevada 89145
 Tel: (702) 385-2500

Attorneys for Defendants Michael Shustek
 and Vestin Mortgage LLC

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

SECURITIES AND EXCHANGE
 COMMISSION,

Plaintiff,
 v.

MICHAEL V. SHUSTEK and
 VESTIN MORTGAGE LLC,

Defendants.

CASE NO. 2:21-cv-01416-JCM-BNW

**DEFENDANTS MICHAEL SHUSTEK
 AND VESTIN MORTGAGE LLC'S
 MOTION FOR LEAVE TO
 SUPPLEMENT OPPOSITION TO
 MOTION TO COMPEL**

Judge: Hon. James C. Mahan
 Magistrate: Hon. Brenda N. Weksler

1 Defendants Michael Shustek and Vestin Mortgage (“Defendants”) request this Court’s
2 leave to attach an additional exhibit to its Opposition (ECF No. 27) to Plaintiff’s Motion to
3 Compel (ECF No. 21). Specifically, Defendants seek leave to supplement their Opposition with
4 the Order Regarding Discovery Commissioner’s Report and Recommendation, attached hereto
5 as **Exhibit C**.

6 Pursuant to LR 7-2(g), the court may grant a party leave to supplement a motion for good
7 cause. Here, good cause exists so that the Court may fully be informed about the status of the
8 Discovery Commissioner’s Report and Recommendation, which was filed as Exhibit B to the
9 Opposition (ECF No. 28-3). On July 27, 2022, Hon. Linda Marie Bell of the District Court for
10 Clark County, Nevada “affirmed and adopted” the Discovery Commissioner’s Report and
11 Recommendation without modification. Further, because this order had not yet issued when
12 Defendants filed their Opposition, this request for leave is timely. Therefore, Defendants believe
13 that the Court should grant leave to file a supplemental Exhibit C as a supplemental Exhibit to
14 the Opposition so that the Court may be fully apprised of developing facts.

15
16 Dated: July 28, 2022

Respectfully Submitted,

17
18 LATHAM & WATKINS LLP
19 Manuel A. Abascal
20 Michael A. Galdes
21 Jared A. Forbus

By: /s/ Manuel A. Abascal
Manuel A. Abascal

22 *Attorneys for Defendants Michael Shustek*
23 *and Vestin Mortgage LLC*

24 **ORDER**

25 **IT IS SO ORDERED**

DATED: 1:18 pm, July 29, 2022

26 

27 **BRENDA WEKSLER**
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 355 South Grand Ave., Suite 100, Los Angeles, CA 90071-1560.

On July 28, 2022, I served the following document described as:

**DEFENDANTS MICHAEL SHUSTEK AND VESTIN MORTGAGE LLC'S MOTION
FOR LEAVE TO SUPPLEMENT OPPOSITION TO MOTION TO COMPEL**

by serving a true copy of the above-described document in the following manner:

VIA THE COURT'S CM/ECF ELECTRONIC FILING SYSTEM

Sheila O'Callaghan
ocallaghanS@sec.gov

Susan LaMarca
lamarcas@sec.gov

David Zhou
zhoud@sec.gov

Ruth L. Hawley
hawleyr@sec.gov

SECURITIES AND EXCHANGE COMMISSION
44 Montgomery Street, Suite 2800
San Francisco, California 94104

Attorneys for Plaintiff Securities and Exchange Commission

I declare that I am employed in the office of a member of the Bar of California, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **July 28, 2022** at Los Angeles, California.

/s/ Manuel A. Abascal
Manuel A. Abascal