

MEMO ENDORSED

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January 10, 2022

BY ECF

Honorable Valerie E. Caproni
United States District Court Judge
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: *Securities and Exchange Commission v. Sergei Polevikov and Maryna Arystava*,
21 Civ. 7925 (VEC)

Dear Judge Caproni:

The parties in the above-captioned action write jointly to respectfully request an adjournment of the Initial Pretrial Conference currently scheduled for January 21, 2022 to February 18, 2022, and an extension of the deadline to file a joint letter and Case Management Plan from January 13, 2022 to February 10, 2022.

On December 15, 2021, Mr. Polevikov pled guilty to securities fraud in a criminal case in this district involving the same conduct alleged in this matter. The parties are engaged in discussions and expect to reach an agreement resolving this matter within the next few weeks. The requested adjournment and extension will allow the parties to continue those discussions. This is the second request for adjournment of the conference.

Respectfully Submitted,

/s/ Michael Gerber

Michael Gerber

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/s/ Melissa Armstrong (by Jeannie Rose Rubin)

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Application GRANTED. The Initial Pre-Trial Conference currently scheduled for January 21, 2022, at 11:00 a.m. is hereby ADJOURNED until **February 18, 2022, at 10:00 a.m.** The deadline to submit a joint letter and Case Management Plan is hereby ADJOURNED until February 10, 2022.

SO ORDERED.


1/10/22

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE