

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKSECURITIES AND EXCHANGE
COMISSION,

Plaintiff,

— *against* —CURT KRAMER, POWER UP
LENDING GROUP, LTD., GENEVA
ROTH REMARK HOLDING, INC., *and*
1800 DIAGONAL LENDING, LLC,

Defendants.

OPINION & ORDER

24 Civ. 3498 (ER)

RAMOS, D.J.:

There is a motion to dismiss currently pending in this matter, as well as oral argument on that motion scheduled for March 11, 2025. However, on March 6, 2025, the parties filed a letter notifying the Court that they “have been negotiating a potential resolution of this case and, following those negotiations, the SEC’s Division of Enforcement is now in the process of submitting the proposed resolution to the Commission for formal approval.” Doc. 43. The parties therefore request an adjournment of the March 11, 2025 oral argument, arguing that “[t]he requested adjournment will likely avoid additional fees, costs, and burdens associated with preparation for oral argument and continued litigation, and a resolution would similarly conserve judicial resources by obviating the need for the Court to resolve the Defendants’ pending motion to dismiss.” *Id.*

In light of the aforementioned, Defendants’ motion to dismiss, Doc. 27, is placed off calendar, subject to renewal by letter motion following the conclusion of any settlement efforts. The request to adjourn the March 11, 2025 oral argument is granted.

The Clerk of Court is respectfully directed to terminate the motion to dismiss, Doc. 27, as well as the letter request to adjourn the March 11 oral argument, Doc. 43.

It is SO ORDERED.

Dated: March 10, 2025
New York, New York



EDGARDO RAMOS, U.S.D.J.