

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

KIRK SPERRY, and  
SPERRY AND SONS CAPITAL INVESTMENTS,  
LLC,

Defendants.

Civil Action No. 2:20-cv-01337-RSM

STIPULATION FOR BRIEFING SCHEDULE

This stipulation is entered into by and among plaintiff Securities and Exchange Commission (the “Commission”) and defendants Kirk Sperry and Sperry and Sons Capital Investments, LLC (“Sperry and Sons”) (collectively, “the Parties”) by and through their respective counsel. In support of this stipulation, the parties jointly state as follows:

1. The parties jointly filed a Notice of Partial Settlement and Request to Vacate Pretrial and Trial Dates on May 3, 2021.
2. On May 5, 2021, the Court entered Judgment as to Defendant Kirk Sperry (ECF No. 12) and Judgment as to Defendant Sperry and Sons Capital Investments, LLC

(ECF No. 13) (“the Judgments”). Pursuant to Section III of the Judgments, the Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission.

3. The Parties have made significant progress in their settlement discussions on the issue of the monetary terms and are in the final stages of negotiating a resolution.

4. The Parties have met and conferred and, to allow the Parties sufficient time to attempt to finalize a settlement, the Parties agree to the following schedule for briefing the Commission’s proposed monetary remedies and entry of final judgment:

a. The Commission shall file its motion in support of civil penalties against Kirk Sperry and disgorgement and civil penalties against Sperry and Sons no later than Friday, October 22, 2021.

b. Defendants Kirk Sperry and Sperry and Sons shall file their opposition to that motion no later than Monday, November 8, 2021.

c. The Commission shall file its reply brief in support of its motion no later than Friday, November 19, 2021.

5. The parties agree that the above briefing schedule will be in the best interest of the Parties and the Court, will serve the interest of judicial economy, and will conserve the resources of the Court and the Parties.

WHEREFORE, the parties hereby stipulate to briefing schedule as detailed herein.

Dated: July X, 2021

Respectfully submitted,

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Silvana Quintanilla (Conditionally  
Admitted Pursuant to LCR 83.1(c)(2))  
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**ORDER**

Upon consideration of the stipulation filed by the Parties, IT IS SO ORDERED and GRANTED that the Court enter the Stipulation for Briefing Schedule.

DATED this 16<sup>th</sup> day of July, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE