

1 THE HONORABLE RICARDO S. MARTINEZ
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

SECURITIES AND EXCHANGE COMMISSION, Civil Action No. 2:20-cv-01337-RSM

Plaintiff,

vs.

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

Defendants.

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

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

4 3. The Parties have made significant progress in their settlement discussions on the
5 issue of the monetary terms and are in the final stages of negotiating a resolution.
6 4. The Parties have met and conferred and, to allow the Parties sufficient time to
7 attempt to finalize a settlement, the Parties agree to the following schedule for
8 briefing the Commission’s proposed monetary remedies and entry of final
9 judgment:
10 a. The Commission shall file its motion in support of civil penalties against
11 Kirk Sperry and disgorgement and civil penalties against Sperry and Sons
12 no later than Friday, October 22, 2021.
13 b. Defendants Kirk Sperry and Sperry and Sons shall file their opposition to
14 that motion no later than Monday, November 8, 2021.
15 c. The Commission shall file its reply brief in support of its motion no later
16 than Friday, November 19, 2021.
17 5. The parties agree that the above briefing schedule will be in the best interest of the
18 Parties and the Court, will serve the interest of judicial economy, and will conserve
19 the resources of the Court and the Parties.

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

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22 Dated: July X, 2021

23 Respectfully submitted,
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Silvana Quintanilla (Conditionally
Admitted Pursuant to LCR 83.1(c)(2))
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*Attorney for Defendants Kirk Sperry and Sperry and
Sons Capital Investments, LLC*

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 16th day of July, 2021.


RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE