IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

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§	No. 4:21-cv-1310
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§	Hon. Reed O'Connor
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	<i>。</i>

PLAINTIFF'S STATUS REPORT IN ANTICIPATION OF DECEMBER 14, 2021 HEARING

Plaintiff United States Securities and Exchange Commission hereby submits the following status report:

- 1. This Court has scheduled a preliminary injunction hearing for Tuesday, December 14, 2021 beginning at 9 a.m. (ECF Nos. 12)
- 2. All defendants in this matter have agreed to preliminary injunctions, obviating the need for the SEC to call witnesses and submit evidence. The SEC will be filing motions for entry of such preliminary injunctions today.
- 3. There remains one unresolved issue concerning an aspect of defendant Rustin Brunson's preliminary injunction. Specifically, Mr. Brunson seeks to include the following additional provision, which the SEC opposes:

"III. NO "BAD ACTOR" DISQUALIFICATION

Pursuant to 17 C.F.R. § 230.506(d)(2)(iii), the Court advises that "Bad Actor"

disqualification under 17 C.F.R. § 230.506(d)(1) should not arise as a consequence of

this Order."

4. The parties are prepared to discuss the merits of this provision at the

upcoming hearing. As part of their agreed resolution of this preliminary injunction,

the SEC and Brunson will both defer and adhere to the Court's ruling regarding the

inclusion of this additional provision.

5. Further, during that hearing the receiver is prepared to update the

Court on the status of the receivership.

Dated: December 10, 2021

Respectfully submitted,

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

By: <u>/s/ Jonathan S. Polish</u> Jonathan S. Polish

Jonathan S. Polish (IL Bar No. 6237890)

pro hac vice pending

Stephanie L. Reinhart (IL Bar No. 6287179)

pro hac vice pending

UNITED STATES SECURITIES

AND EXCHANGE COMMISSION

175 W. Jackson Blvd., Suite 1450

Chicago, Illinois 60604

(312) 353-6884 (Polish)

PolishJ@SEC.gov

(312) 886-9899 (Reinhart)

ReinhartS@SEC.gov

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Keefe Bernstein (Texas Bar No. 24006839)
UNITED STATES SECURITIES
AND EXCHANGE COMMISSION
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102
(817) 900-2607
BernsteinK@sec.gov

CERTIFICATE OF SERVICE

On December 10, 2021, I caused the foregoing filing to be transmitted to the following attorneys by email.

/s/ Jonathan S. Polish

Theodore M. Grannatt (tgrannatt@mccarter.com)
Joseph C. Donahue (jdonahue@mccarter.com)
McCarter & English
(attorneys for Defendants Muratore and Pearsey)

Alex More (<u>amore@ccsb.com</u>) Carrington Coleman (attorney for Defendant Brunson)

Kevin Edmundson (<u>Kevin@eswpllc.com</u>)
Jesse Weiss (<u>Jesse@eswpllc.com</u>)
Edmundson Shelton Weiss PLLC
(attorney for Sahota Defendants)

Deborah Williamson (<u>dwilliamson@dykema.com</u>) Danielle Rushing (<u>drushing@dykema.com</u>) (Receiver and attorney for Receiver