

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE
COMMISSION,

 Plaintiff,

v.
TERRAFORM LABS, PTE. LTD. and DO
HYEONG KWON,

 Defendants.

Civil Action No. 23 Civ. 01346 (JSR)

Hon. Jed S. Rakoff

**DEFENDANTS' NOTICE OF
SUPPLEMENTAL AUTHORITY**

Defendants submit this notice of supplemental authority in further support of their motion for summary judgment and opposition to the SEC's motion for summary judgment.

On November 30, 2023, in *SEC v. Digital Licensing Inc. et al.*, No. 23 Civ. 482 (D. Utah), Chief Judge Robert J. Shelby issued a Decision (Ex. A) and an Order to Show Cause (Ex. B) finding that the SEC had made misrepresentations to the Court that were so serious that the Court ordered the SEC to show cause why it should not be sanctioned. The Decision and Order to Show Cause are relevant to Defendants' arguments regarding the SEC's general use of excerpts of evidence and the allegations in paragraph 173 of the Amended Complaint.

Dated: December 4, 2023

Respectfully submitted,

/s/ Douglas W. Henkin

DENTONS US LLP

Douglas W. Henkin
David L. Kornblau
Louis A. Pellegrino
1221 Avenue of the Americas
New York, New York 10020
Tel: (212) 768-6700
douglas.henkin@dentons.com
david.kornblau@dentons.com
louis.pellegrino@dentons.com

Mark G. Califano
1900 K Street, NW
Washington, DC 20006-1102
Tel: (202) 496-7500
mark.califano@dentons.com

*Counsel for Defendants Terraform Labs Pte. Ltd. and
Kwon Do Hyeong*