

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TERRAFORM LABS PTE LTD. and  
DO HYEONG KWON,

Defendants.

No. 1:23-cv-1346 (JSR)

**NOTICE OF MOTION FOR LEAVE TO NOTICE DEFENDANT DO HYEONG KWON'S DEPOSITION, OR, IN THE ALTERNATIVE, TO PRECLUDE DEFENDANTS FROM USING A DECLARATION FROM KWON**

In accordance with ¶ 2 of Your Honor's Individual Rules of Practice, Plaintiff, the Securities and Exchange Commission ("SEC"), respectfully requests that the Court grant the SEC leave to notice Defendant Do Hyeong Kwon's deposition, or in the alternative, preclude Defendants from using a declaration from Kwon on summary judgment. Defendants' response is due on September 26, 2023 at 12:00 pm.

For the reasons set forth in more detail in the accompanying memorandum in support of this motion, the SEC respectfully requests that the Court grant this motion.

Dated: September 22, 2023

Respectfully submitted,

/s/ Carina A. Cuellar

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**CERTIFICATE OF SERVICE**

I, hereby certify that on September 22, 2023, I filed the foregoing through the Court's CM/ECF system, which will send notifications of such filing to all counsel of record.

/s/ Carina A. Cuellar  
Carina A. Cuellar