

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

LEJILEX; CRYPTO FREEDOM ALLIANCE OF
TEXAS,

Plaintiffs,

v.

SECURITIES AND EXCHANGE
COMMISSION; ERIC R. WERNER; GARY
GENSLER; CAROLINE A. CRENSHAW; JAIME
E. LIZARRAGA; HESTER M. PEIRCE; and
MARK T. UYEDA, in their official capacities,

Defendants.

C.A. No. 4:24-cv-00168-O

**DEFENDANTS' CONSENTED-TO MOTION TO REMOVE THE
FEBRUARY 20, 2025 ARGUMENT FROM THE COURT'S CALENDAR AND
TO HOLD THE PENDING DISPOSITIVE MOTIONS IN ABEYANCE**

Defendants respectfully request that this Court remove the February 20, 2025 argument from its calendar and hold the pending dispositive motions in abeyance until April 11, 2025.

1. Plaintiffs seek declaratory relief addressing the application of the federal securities laws to crypto asset transactions and injunctive relief regarding Securities and Exchange

Commission enforcement actions related to crypto asset transactions. Dkt. 1.

2. Currently pending before this Court are three dispositive motions: (1) defendants' first motion to dismiss (Dkt. 31); (2) plaintiffs' motion for summary judgment (Dkt. 34); and (3) defendants' second motion to dismiss or, in the alternative, for summary judgment (Dkt. 37).

3. On February 6, 2025, this Court scheduled oral argument on the pending dispositive motions for February 20, 2025. Dkt. 78.

4. Defendants respectfully request that this Court remove the February 20, 2025 argument from its calendar and hold the pending dispositive motions in abeyance until April 11, 2025.

5. A transition in Commission leadership took place on January 20, 2025. And on January 21, 2025, Acting Chairman Mark T. Uyeda launched a crypto task force dedicated to helping the Commission develop the regulatory framework for crypto assets. The work of this task force may affect and could facilitate the potential resolution of this case.

6. In light of the crypto task force's formation, and to allow the current Commission adequate time to review crypto-related issues while also conserving judicial resources, the February 20, 2025 argument should be removed from this Court's calendar and the pending dispositive motions should be held in abeyance until April 11, 2025. On or before April 11, 2025, defendants would file a status report advising this Court of relevant developments and proposing a schedule for future proceedings.

7. Plaintiffs consent to the requested relief.

Dated: February 11, 2025

/s/ Jason J. Rose
Jason J. Rose
Texas Bar No. 24007946
Securities and Exchange Commission
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102
(817) 978-1408 (phone)
(817) 978-4927 (facsimile)
rosej@sec.gov

Counsel for Defendants

Respectfully submitted,

Jeffrey A. Berger (*pro hac vice*)
Illinois Bar No. 6282511
Ezekiel L. Hill (*pro hac vice*)
D.C. Bar No. 1684647
David D. Lisitza (*pro hac vice*)
California Bar No. 225824
Securities and Exchange Commission
100 F Street NE
Washington, DC 20549
(202) 551-7724 (Hill)
bergerje@sec.gov
hillez@sec.gov
lisitza@sec.gov

CERTIFICATE OF CONFERENCE

On February 9 and 10, 2025, counsel for defendants conferred with counsel for plaintiffs, who indicated that plaintiffs consent to the requested relief.

/s/ Jason J. Rose
Jason J. Rose

CERTIFICATE OF SERVICE

I affirm that on February 11, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court for the Northern District of Texas, Fort Worth Division, by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants.

/s/ Jason J. Rose
Jason J. Rose