

JUDGE BERMAN

14 CV 7482

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :  
:   
Plaintiff, :   
:   
-against- :   
: 14 Civ. ( )  
DIMITRY BRAVERMAN, :   
:   
Defendant, :   
:   
-and- :   
:   
VITALY PUPYNIN, :   
Relief Defendant. :   
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**LOCAL RULE 6.1 DECLARATION OF CHARU A. CHANDRASEKHAR IN SUPPORT  
OF PLAINTIFF'S EMERGENCY APPLICATION  
FOR AN ASSET FREEZE AND OTHER RELIEF**

I, Charu A Chandrasekhar, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of the bar of the State of New York and of the United States District Court for the Southern District of New York. I am employed by Plaintiff Securities and Exchange Commission (the "Commission") in its New York Regional Office as Senior Attorney.

2. I make this declaration pursuant to Local Civil Rule 6.1(d) to show that good and sufficient reason exists for bringing the Commission's emergency application (the "Application") for an order freezing the assets of defendant Dimitry Braverman ("Braverman") and relief defendant Vitaly Pupynin ("Pupynin") (collectively, the "Defendants") and other relief by order to show cause rather than by notice of motion.

3. The Commission makes this emergency application by order to show cause primarily to stop Braverman from continuing to move proceeds of his illegal insider trading to a foreign bank account and other accounts associated with Pupynin, a Russian resident and citizen who is closely related to Braverman.

4. No previous application for the relief requested herein or any similar relief has been made.

5. The Commission makes its Application by order to show cause to (i) preserve the *status quo* pending adjudication of the Application; (ii) ensure that any future judgment of this Court for disgorgement, prejudgment interest and civil money penalties is not rendered meaningless; and (iii) prevent the destruction or fabrication of evidence. The Commission believes that proceeding by notice of motion will likely jeopardize the Court's ability to grant full and effective relief both on this Application and on the merits of the Commission's Complaint, because doing so will provide Braverman and Pupynin with the time to move their ill-gotten gains to foreign accounts and otherwise dissipate the funds before an asset freeze order can be entered.

6. In addition to personal knowledge, I base this declaration on the concurrently-filed Declaration of Jordan Baker ("Baker Declaration") and the exhibits thereto.

7. From at least 2010 to 2013, Braverman appears to have illegally traded and tipped a relative to trade based on material, nonpublic information Braverman obtained from his employer, the law firm Wilson Sonsini Goodrich & Rosati, Professional Corporation ("Wilson Sonsini"). He profited by over \$300,000 from his illegal trading.

8. Pupynin, Braverman's close relative, is a resident and citizen of Russia. Braverman used a brokerage account opened in Pupynin's name to make some of the insider trades.

9. Since then, Braverman has transferred over \$26,000 in proceeds from his insider trading scheme to a bank account in Riga, Latvia, as set forth in more detail in the Baker Declaration. He has also transferred over \$25,000 to other bank accounts associated with Pupynin.

10. The Commission's Complaint alleges that, by engaging in illegal insider trading and tipping, Braverman violated Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)], Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5], Section 14(e) of the

Exchange Act [15 U.S.C. § 78n(e)], and Rule 14e-3 thereunder [17 C.F.R. § 240.14e-3]. The Commission seeks a final judgment against Braverman that, among other things, orders him to disgorge all ill-gotten gains from his unlawful insider trading activity, together with prejudgment interest, and to pay a civil money penalty. The Commission also seeks a final judgment that orders Pupynin to disgorge the ill-gotten gains he has received, together with prejudgment interest.

11. The Commission makes this Application by order to show cause because there is a grave risk, if the Commission provides Braverman and Pupynin with notice of its Application, that they will immediately transfer assets to accounts outside the United States, beyond the Court's and the Commission's reach, to avoid having to pay any final judgment that includes monetary relief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2014  
New York, New York



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Charu A. Chandrasekhar