



U.S. Department of Justice

Civil Division
Federal Programs Branch
20 Massachusetts Ave, N.W.
Washington, DC 20530

August 12, 2015

VIA ECF

The Honorable Richard M. Berman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Duka v. SEC*, No. 15-cv-357 (RMB)

Dear Judge Berman:

We write on behalf of Defendant the Securities and Exchange Commission (“SEC”) to respectfully request an extension of time of 30 days, until September 16, 2015, in which to answer the Amended Complaint in this case. The undersigned has conferred with counsel for Plaintiff, and he informed me that he consents to the SEC’s request.

The SEC’s Answer to the Amended Complaint is currently due on August 17, 2015. The Court issued a preliminary injunction today, August 12, 2015, enjoining the SEC from proceeding with Ms. Duka’s administrative proceeding. The government is actively considering whether to appeal the preliminary injunction, which deliberation is expected to take some time because any appeal would require the approval of the Solicitor General of the United States. *See* 28 C.F.R. § 0.20(b). In addition, the parties are currently discussing how best to proceed in this case. Accordingly, the government respectfully requests that it be given a 30-day extension of time to answer the Amended Complaint.

We thank you for your consideration of this request.

Dated August 12, 2015

PREET BHARARA
United States Attorney

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U.S. Attorney’s Office

Respectfully submitted,

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