

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

HISTORY ASSOCIATES INCORPORATED,

Plaintiff,

v.

U.S. SECURITIES AND EXCHANGE
COMMISSION,

Defendant.

Case No. 1:24-cv-1858-ACR

STATUS REPORT

Plaintiff History Associates submits this status report to update the Court on the SEC's latest production in response to this Court's recent orders and to respectfully request that the Court direct the SEC to clarify on the record whether it has conducted a complete review and production of responsive documents as required by FOIA and the Court's recent orders.

The Court Ordered a Complete Response to Subparts 3 and 4. On February 11, 2025, the Court ordered the SEC to produce by April 11 all documents responsive to prioritized Subparts 3 and 4 of History Associates' Ethereum FOIA request. Feb. 11, 2025, Minute Order (citing ECF 27). Those subparts seek documents sent by or to certain SEC officials regarding whether Ether is a security and the closure of the ETH 2.0 investigation. ECF 27 at 3.

On March 27, the SEC asked the Court to "hold in abeyance the April 11, 2025 deadline for the SEC to issue a response to subpart 3," claiming that the potentially responsive documents were too voluminous. ECF 30 at 16. On March 28, this Court "denie[d] Defendant's request to hold this case in abeyance" and "order[ed] Defendant to comply with the April 11 deadline." Mar. 28, 2025, Minute Order (capitalization altered). The Court explained that it "ha[d] already given the SEC plenty of extensions, including a three-week extension of the initial deadline in January

[for Subparts 1 and 2].” *Id.* And the Court stated that, “should [the] SEC fail to comply with the April 11 deadline, the Court will enter a show cause order on sanctions.” *Id.*

The SEC’s Response to Subparts 3 and 4 Appears to be Incomplete. On April 11, the SEC produced around 14,500 pages of documents responsive to Subparts 3 and 4. The records produced consist almost entirely of academic articles, public court filings, and other public documents (*e.g.*, more than 5,000 pages are copies of two 350-plus-page ABA articles). In addition, the SEC produced three *Vaughn* indices describing hundreds of additional documents the agency was withholding in whole or in part. *See* Ex. A. Despite the volume of the SEC’s production, it appears from the agency’s own description of its *Vaughn* indices—as “non-final preliminary drafts”—that the agency may not have complied with the Court’s instructions, including a requirement to identify all potentially applicable FOIA exemptions.

History Associates filed this suit because the SEC improperly issued near-blanket denials of History Associates’ FOIA requests based on Exemption 7(A). The agency later revealed, however, that it had issued those near-blanket denials without conducting the “document-by-document” review that FOIA requires, *CREW v. DOJ*, 746 F.3d 1082, 1098 (D.C. Cir. 2014); *see Tipograph v. DOJ*, 83 F. Supp. 3d 234, 241 (D.D.C. 2015) (describing “document-by-document review” as “the required review at the administrative stage”)—and without considering *all* applicable exemptions. The Court previously expressed concern that the SEC believed it could forgo that complete review. *See* ECF 24-1 at 4 (“I’m a little bit at a loss as to why you all thought that you could just do a 7(A) analysis on the first go-around and then ... do the actual FOIA review.”). The whole purpose of the process the Court put in place, in which the SEC processes and produces prioritized subparts of the originally requested records, was to begin remedying the agency’s failure to do a document-by-document review for all potentially applicable FOIA exemptions. For

the avoidance of doubt, History Associates specifically requested that the SEC be required to identify any and all FOIA exemptions it intended to assert. ECF 22 at 19. The Court and the SEC agreed. *Id.*

But the SEC’s April 11 production and its subsequent communications raise serious concerns that it has failed to do so. In transmitting the *Vaughn* indices, the SEC described them as “non-final, preliminary drafts.” Ex. B at 9. When asked by History Associates to explain that description, the SEC stated that it “reserve[d] the right to update or modify the entries”—and, specifically, that “upon further review, [the SEC] may identify additional exemptions that apply.” *Id.* at 6-8. The SEC also held out the possibility that, “upon further review and consideration,” it might “determine that some information could be released” from records currently withheld in full. *Id.* at 6. Although the SEC has also stated that it “analyzed the records for all potentially applicable FOIA exemptions, segregability, and foreseeable harm,” *id.* at 5, that statement is difficult to square with the agency’s repeated assertions that it may later assert additional exemptions or conclude that additional segregable portions are non-exempt after all. The SEC’s production and statements thus suggest that it has repeated, rather than rectified, its original error. At a minimum, they indicate that, even if the SEC has *considered* every potentially applicable exemption to every record, it has not *identified* in its *Vaughn* indices every exemption it intends to assert, as the Court and the parties agreed the agency would do, but is instead either holding others in reserve or did not undertake a document-by-document review for all potentially applicable FOIA exemptions.

Compounding that concern, the SEC has described its production as “akin to initial FOIA responses,” which it distinguished from “responses on an administrative appeal” or in “litigation.” Ex. B at 5. It is unclear what the SEC means by that distinction or what footing it has in FOIA. An agency should not be allowed to treat its initial response to a FOIA request as a mere preseason

placeholder, with the real FOIA analysis to come. In any event, that asserted distinction is inapposite here: Whatever leeway agencies might have in the administrative process, History Associates' FOIA request is long past the initial-response and administrative-appeal phases and has been in litigation for ten months. And whatever flexibility the SEC might claim under FOIA standing alone, its legal duty to produce the records in Subparts 3 and 4, including to identify all exemptions it intends to assert, stems from orders of this Court mandating production by a date certain—which were intended to help remedy the SEC's original failures at the administrative stage.

The Court Should Direct the SEC to Clarify Its Response to Subparts 3 and 4. History Associates respectfully submits that the Court should direct the SEC to clarify on the record (1) whether it has definitively determined which responsive documents (and segregable portions of documents) the agency will produce and which it will withhold, and (2) whether it has identified in the *Vaughn* indices all of the exemptions it intends to rely on in justifying any withholdings. If the answer to both questions is yes, History Associates can make an informed decision whether to proceed to summary judgment as to Subparts 3 and 4 without fear of being sandbagged if the SEC attempts to assert additional FOIA exemptions at the eleventh hour. But if the answer to either question is no, History Associates submits that the SEC is in violation of the Court's February 11 and March 28 orders to produce Subparts 3 and 4 and the commitment the SEC made and the Court approved on November 8 to identify all exemptions it wishes to assert. In that event, the Court should take appropriate steps to enforce its orders, including issuance of a show-cause order consistent with the Court's March 28 ruling.

Date: April 25, 2025

Respectfully submitted,

/s/ Jonathan C. Bond

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Exhibit A



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

April 11, 2025

Ms. Jessica Albert and Ms. Eva Laverty-Wilson
History Associates Incorporated
300 N. Stonestreet Avenue
Rockville, MD 20850

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request Nos. **24-00020-LITG (23-03120-FOIA, 23-03128-FOIA, and 23-03269-FOIA)**

Dear Ms. Albert and Ms. Laverty-Wilson:

This letter is a partial response to your FOIA Request Nos. 23-03128-FOIA, 23-03120-FOIA, and 23-03269-FOIA. FOIA Request Nos. 23-03128-FOIA and 23-03120-FOIA, dated and received in this office on August 8, 2023, seek "all investigative files and any other factual documents received by the Commission, any Commissioner, and/or any Commission Staff or otherwise in the Commission Staff's custody or control, or any internal or external communications reflecting or concerning any investigations by the Commission or Commission Staff, of" Enigma MPC (Request No. 23-03120-FOIA) and Zachary Coburn (Request No. 23-03128-FOIA). FOIA Request No. 23-03269-FOIA, dated and received in this office on July 28, 2023, seeks "all records concerning Ethereum's shift to a proof-of-stake consensus mechanism that have been created since January 1, 2018."

Reference is made to our interim response to these requests dated January 7, 2025, and January 28, 2025. Additional reference is made to our letter dated October 5, 2023, regarding FOIA Request No. 23-03120-FOIA in which we granted your request in part and released to you three pages of records, in part, and informed you that we are withholding additional records that may be responsive to the request pursuant to FOIA Exemption 7(A). Additional reference is made to our letter dated August 11, 2023, regarding FOIA Request No. 23-03128-FOIA in which we informed you that we are withholding responsive records pursuant to FOIA Exemption 7(A). Additional reference is made to our letter dated October 10, 2023, regarding FOIA Request No. 23-

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03269-FOIA in which we informed you that we could not locate any responsive records, as well as the Office of the General Counsel's subsequent appeal decision dated February 6, 2024, that responsive records are protected from disclosure pursuant to FOIA Exemption 7(A).

Your counsel and the SEC's counsel agreed that the SEC will process four narrowed subparts of FOIA Request No. 23-03269-FOIA. This letter addresses Subparts 3 and 4. Subpart 3 seeks all documents and communications sent to or by all former SEC Commissioners, their counsels, the Director of the Division of Enforcement, the Director of the Crypto Asset and Cyber Unit, the Director of the Office of the Strategic Hub for Innovation and Financial Technology, and the Director of the Division of Corporation Finance that discuss or analyze whether Ether (or "ETH" or "Ethereum") is a security or whether transactions in Ether (or "ETH" or "Ethereum") are securities transactions, and that contain the words "proof-of-stake" (or "PoS," "the Merge," or "EIP-3675"). Subpart 4 seeks all documents or communications sent to or by all former SEC Commissioners, their counsels, the Director of the Division of Enforcement, and the Director of the Crypto Asset and Cyber Unit concerning the decision to close the ETH 2.0 investigation.

We are releasing to you 14,436 pages in response to subpart 3, with the exception of certain information that has been withheld pursuant to 5 U.S.C. §§ 552(b)(4), (b)(5), (b)(6), (7)(C), and (7)(E) for the following reasons:

- FOIA Exemption 4 protects confidential commercial or financial information that is customarily and actually treated as private by its owner and provided to the government under an assurance of privacy.
- FOIA Exemption 5 protects certain information prepared in anticipation of litigation, forms an integral part of the pre-decisional process, and/or contains advice given to the Commission or senior staff by the SEC's attorneys. Therefore, it is protected from release by

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the attorney work-product doctrine and/or the deliberative process and/or attorney-client privileges embodied in Exemption 5; and

- FOIA Exemption 6 protects certain information the release of which would constitute a clearly unwarranted invasion of personal privacy. We have withheld contact and personal information of SEC staff as well as information belonging to third-party individuals.
- FOIA Exemption 7(C) protects certain information the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of certain staff.
- FOIA Exemption 7(E) protects law enforcement information the disclosure of which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

We are also withholding in full 446 records in response to subpart 3 pursuant to 5 U.S.C. §§ 552(b)(4), (b)(5), and (b)(8) for the above and below reasons:

- FOIA Exemption 8 protects matters that are contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.

Additionally, the enclosed 29 pages of records are being provided in response to subpart 4, with the exception of certain information that has been withheld pursuant to 5 U.S.C. §§ 552(b)(5), (b)(6), and (b)(7)(C) for the above reasons. We are

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also withholding in full 1207 pages of records pursuant to 5 U.S.C. §§ 552(b)(4) and (b)(5) for the above reasons.

Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

I am the deciding official with regard to this adverse determination. You have the right to appeal my decision to the SEC's General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(f)(1). The appeal must be received within ninety (90) calendar days of the date of this adverse decision. Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

You may file your appeal by completing the online Appeal form located at https://www.sec.gov/forms/request_appeal, or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address.

If you have any questions, please contact Alexandra Verdi at verdim@sec.gov. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,

Matthew Hurd

Matthew Hurd
Attorney Advisor

Enclosure

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at [Archives.gov](https://www.archives.gov). Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0245035	07/09/2018 10:31:13 AM	Starr, Amy	Szczepanik, Valerie		FW Coinbase Intent to Offer New Assets (With Attachment).msg	Exemption 4	The withheld email and attachment consist of information provided by a third party with a request for confidential treatment. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0245036	07/09/2018 10:31:13 AM				Coinbase SEC New Asset Submission 6.28.18 .pdf	Exemption 5 (deliberative process privilege)	The email also contains an intra-agency email that reflects deliberations about the information provided. The withheld email is deliberative because it reflects deliberation about how to address an issue relating to crypto assets. The withheld information is pre-decisional because a decision had not been made about the issue raised.	.pdf	True
GC-LIT-0470-0455634	07/27/2018 02:11:47 PM	SEC staff	SEC staff	SEC staff	FW Coinbase Letter.msg		The email is an intra-agency email that reflects deliberations relating to the attached Coinbase letter. The withheld email is deliberative because it reflects deliberation about how to address issues relating to crypto assets. The withheld information is pre-decisional because a decision had not been made about the issue raised.	.msg	False
GC-LIT-0470-0455635	07/27/2018 02:11:47 PM				Coinbase SEC New Asset Submission 6.28.18 .pdf	Exemption 4 Exemption 5 (deliberative process privilege)	The withheld attachment consists of information provided by a third party with a request for confidential treatment. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0279677	07/27/2018 02:29:37 PM	SEC staff	SEC staff		CoinbaseDebevoise June 2018 Submission.msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is an intra-agency email that reflects deliberations relating to the attached Coinbase letter. The withheld email is deliberative because it reflects deliberation about how to address issues relating to crypto assets. The withheld information is pre-decisional because a decision had not been made about the issue raised. The withheld attachment consists of information provided by a third party with a request for confidential treatment. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0279678	07/27/2018 02:29:37 PM				Coinbase SEC New Asset Submission 6.28.18 .pdf			.pdf	True
GC-LIT-0470-0245165	07/30/2018 08:47:54 AM	SEC staff	Szczepanik, Valerie		RE CoinbaseDebevoise.msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is an intra-agency email that reflects deliberations relating to the attached Coinbase letter. The withheld email is deliberative because it reflects deliberation about how to address issues relating to crypto assets. The withheld information is pre-decisional because a decision had not been made about the issue raised. The withheld attachment consists of information provided by a third party with a request for confidential treatment. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0245166	07/30/2018 08:47:54 AM				Coinbase SEC New Asset Submission 6.28.18 .pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0279737	08/03/2018 09:47:40 AM	SEC staff	SEC staff		Coinbase June 2018 Submission .msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is an intra-agency email that reflects deliberations relating to the attached Coinbase letter. The withheld email is deliberative because it reflects deliberation about how to address issues relating to crypto assets. The withheld information is pre-decisional because a decision had not been made about the issue raised. The withheld attachment consists of information provided by a third party with a request for confidential treatment. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0279738	08/03/2018 09:47:40 AM				Coinbase SEC New Asset Submission 6.28.18 .pdf			.pdf	True
GC-LIT-0470-0806153	04/03/2019 11:06:21 AM	SEC staff	SEC staff		Internal discussion re Mochimo submission.msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is an intra-agency email that reflects deliberations relating to a submission to the SEC. The withheld email is deliberative because it reflects deliberation about how to address the submission. The withheld information is pre-decisional because a decision had not been made about the issue raised. The withheld attachment consists of information provided by a third party with a request for confidential treatment. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0806154	04/03/2019 11:06:21 AM				SEC_Presentation(Final)_19-03-20.pdf			.pdf	True
GC-LIT-0470-0806155	04/03/2019 11:06:21 AM				2.24.2019 - FILED Letter to SEC - Mochimo Cryptocurrency.pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0647036	04/09/2019 08:00:44 PM	SEC staff	[redacted]@georgetown.edu		Important Updates - (Financial Regulation and Financial Crises).msg	Exemption 4	The withheld email and attachments consist of information provided by a professor to a class regarding derivatives. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0647037	04/09/2019 08:00:44 PM				Derivatives Presentation 4 8 19.pptx			.pptx	True
GC-LIT-0470-0647038	04/09/2019 08:00:44 PM				Crypto assets Brookings 3 19.pdf			.pdf	True
GC-LIT-0470-0647039	04/09/2019 08:00:44 PM				Derivatives Swap Diagrams.pdf			.pdf	True
GC-LIT-0470-0366376	06/06/2019 05:13:43 PM	SEC staff	SEC staff		FW GrayscaleZEC Howey analysis.msg	Exemption 4	The withheld email and attachment consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0366377	06/06/2019 05:13:43 PM				Zcash memo.pdf			.pdf	True
GC-LIT-0470-0366433	06/24/2019 03:48:37 PM	SEC staff	SEC staff		Follow up re DPW Zcash Memo.msg		The email is an intra-agency email that reflects	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0366434	06/24/2019 03:48:37 PM				Zcash memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	<p>The email is an intra-agency email that reflects deliberations relating to the attached Zcash memo. The withheld email is deliberative because it reflects deliberation about how to address issues relating to the letter. The withheld information is pre-decisional because a decision had not been made about the issue raised.</p> <p>The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0366605	07/11/2019 07:52:01 PM	Szczepanik, Valerie	Maitra, Neelanjan		Annotated DPW Zcash memo.msg	Exemption 4 Exemption 5 (deliberative process privilege)	<p>The withheld attachment consists of information provided by a third that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.msg	False
GC-LIT-0470-0366606	07/11/2019 07:52:01 PM				Annotated DPW Zcash Memo.pdf		<p>The attachment also includes handwritten notes that are intra-agency and reflect deliberations relating to the attachment. The notes are deliberative because they reflect deliberation about addressing the issues raised in the attachment. The notes are pre-decisional because a decision had not been made about the issues raised.</p>	.pdf	True
GC-LIT-0470-0366600	07/15/2019 11:57:56 AM	SEC staff	SEC staff	SEC staff	RE Draft Zcash Follow-up questions.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0366602	07/15/2019 11:57:56 AM				Zcash memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	The email is an intra-agency email that reflects deliberations relating to the attached Zcash memo. The withheld email is deliberative because it reflects deliberation about how to address issues relating to the letter. The withheld information is pre-decisional because a decision had not been made about the issue raised. The withheld attachment consists of information provided a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0366802	08/14/2019 04:05:52 PM	SEC staff	SEC staff	SEC staff	Zcash - BSAAML issues.msg		The email is an intra-agency email that reflects deliberations relating to the attached Zcash memo. The withheld email is deliberative because it reflects deliberation about how to address issues relating to the letter. The withheld information is pre-decisional because a decision had not been made about the issue raised.	.msg	False
GC-LIT-0470-0366803	08/14/2019 04:05:52 PM				Zcash memo June 6.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0394413	11/22/2019 01:51:12 PM	Garrison, Charles	Hutchings, Alex	Peirce, Hester	All my crypto stuff.msg		The withheld email and attachment are intra	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0394423	11/22/2019 01:51:12 PM				ICO disclosure.docx	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they reflect discussion about possible crypto asset regulation. The withheld information is pre-decisional because a decision had not been made about crypto asset regulation.	.docx	True
GC-LIT-0470-0806336	05/06/2020 10:03:46 AM	SEC staff	SEC staff	SEC staff	Blockstack - Follow up call - CONFIRMED - Agenda below (3rd attachment now).msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to SEC about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo.	.msg	False
GC-LIT-0470-0806338	05/06/2020 10:03:46 AM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_10422105.(17).docx		Additionally, the withheld attachment consists of a memo prepared by a third party. The third party requested confidential treatment for the memo. Should Plaintiff seek the release of the memo, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.docx	True
GC-LIT-0470-0799572	05/19/2020 04:21:57 PM	SEC staff	SEC staff		FW Blockstack.msg		The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to SEC	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0799574	05/19/2020 04:21:57 PM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_10422105.(17).docx	Exemption 4 Exemption 5 (deliberative process privilege)	about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo. Additionally, the withheld attachment consists of a memo prepared by a third party. The third party requested confidential treatment for the memo. Should Plaintiff seek the release of the memo, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.docx	True
GC-LIT-0470-0799596	06/01/2020 03:29:44 PM	SEC staff	SEC staff	SEC staff	Blockstack - Follow up call - HOLD.msg		The email is intra-agency and reflects deliberations by SEC staff regarding memo submitted to SEC about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo.	.msg	False
GC-LIT-0470-0799598	06/01/2020 03:29:44 PM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_10422105.(17).docx	Exemption 4 Exemption 5 (deliberative process privilege)	about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo. Additionally, the withheld attachment consists of a memo prepared by a third-party. The third party requested confidential treatment for the memo. Should Plaintiff seek the release of the memo, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0369398	07/24/2020 06:21:13 PM	SEC staff	SEC staff; Pretto-Sakmann, Arianna; Ferguson, Daniel	Sklaroff, Jeremy	Confidential treatment requested under Rule 83 - Grayscale ZEC Trust.msg	Exemption 4	The withheld email and attachments consist of information subject to a confidential treatment request. Should Plaintiff seek the release of the records, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0369399	07/24/2020 06:21:13 PM				Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20).PDF			.pdf	True
GC-LIT-0470-0369400	07/24/2020 06:21:13 PM				Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20 marked vs 6.6.19).PDF			.pdf	True
GC-LIT-0470-0369454	07/28/2020 01:00:39 AM	SEC staff	SEC staff		Grayscale ZEC Trust.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0369455	07/28/2020 01:00:39 AM				Grayscale ZEC Trust (7.24.20 marked vs 6.6.19) - NM comments.pdf		<p>The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to SEC about Zcash. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo.</p> <p>The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p> <p>The attachment also contains comments and questions that are intra-agency and reflect deliberations relating to the attachment. The comments and questions are deliberative because they reflect deliberation about addressing the issues raised in the attachment. The comments and questions are pre-decisional because a decision had not been made about the issues raised.</p>	.pdf	True
GC-LIT-0470-0369464	07/28/2020 03:02:10 PM	SEC staff	SEC staff		RE Grayscale ZEC Trust.msg		The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to SEC	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0369465	07/28/2020 03:02:10 PM				Grayscale ZEC Trust (7.24.20 marked vs 6.6.19) - NM SW comments.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	<p>about Zcash. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo.</p> <p>The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p> <p>The attachment also contains comments and questions that are intra-agency and reflect deliberations relating to the attachment. The comments and questions are deliberative because they reflect deliberation about addressing the issues raised in the attachment. The comments and questions are pre-decisional because a decision had not been made about the issues raised.</p>	.pdf	True
GC-LIT-0470-0359855	01/28/2021 12:42:30 PM	SEC staff	SEC staff	SEC staff	Blockstack submission.msg			.msg	False
GC-LIT-0470-0359856	01/28/2021 12:42:30 PM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_104 22105.(17).docx		The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to SEC about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0359858	01/28/2021 12:42:30 PM				Redline - Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (2).pdf	Exemption 4 Exemption 5 (deliberative process privilege)	Additionally, the withheld attachments consist of memos prepared by a third party. The third party requested confidential treatment for the memos. Should Plaintiff seek the release of the memos, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0251172	05/14/2021 02:08:34 PM	SEC staff	SEC staff		FW Blockstack submission.msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to SEC about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo. Additionally, the withheld attachments consist of memos prepared by a third party. The third party requested confidential treatment for the memos. Should Plaintiff seek the release of the memos, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0251173	05/14/2021 02:08:34 PM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_10422105.(17).docx			.docx	True
GC-LIT-0470-0251175	05/14/2021 02:08:34 PM				Redline - Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (2).pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0360896	06/16/2021 02:19:54 PM	SEC staff	SEC staff	SEC staff	RE Stacks - previous correspondence.msg	Exemption 4 Exemption 5 (deliberative process privilege)	The email is intra-agency and reflects deliberations by SEC staff regarding memo submitted to SEC about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo. Additionally, the withheld attachments consist of memos prepared by a third party. The third party requested confidential treatment for the memos. Should Plaintiff seek the release of the memos, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0360897	06/16/2021 02:19:54 PM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_10422105.(17).docx			.docx	True
GC-LIT-0470-0360899	06/16/2021 02:19:54 PM				Redline - Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (2).pdf			.pdf	True
GC-LIT-0470-0360886	06/16/2021 02:24:55 PM	SEC staff	SEC staff	SEC staff	FW Stacks - previous correspondence.msg		The email is intra-agency and reflects deliberations by SEC staff regarding a memo submitted to the SEC about Stacks tokens. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the memo. Additionally, the withheld attachments consist of	.msg	False
GC-LIT-0470-0360887	06/16/2021 02:24:55 PM				Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (draft dated 5-15-2020)_palib2_10422105.(17).docx			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0360889	06/16/2021 02:24:55 PM				Redline - Blockstack PBC - Memorandum Regarding Status of Stacks Tokens (2).pdf	Exemption 4 Exemption 5 (deliberative process privilege)	memos prepared by a third party. The third party requested confidential treatment for the memos. Should Plaintiff seek the release of the memos, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0273118	06/22/2021 05:57:14 PM	SEC staff	SEC staff		FW ripple - [redacted].msg	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.	.msg	False
GC-LIT-0470-0273122	06/22/2021 05:57:14 PM				[redacted] memo.pdf		The withheld email was prepared by attorneys in the SEC's Division of Enforcement ("ENF") in anticipation of litigation and contains legal analysis relating to Enforcement matters. The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0393742	06/24/2021 02:56:28 PM	SEC staff	SEC staff		FW ripple - [redacted].msg	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues. The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters. The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0393745	06/24/2021 02:56:28 PM				[redacted].pdf			.pdf	True
GC-LIT-0470-0393746	06/24/2021 02:56:28 PM				[redacted].pdf			.pdf	True
GC-LIT-0470-0429336	06/29/2021 11:10:57 AM	SEC staff	SEC staff		RE ripple - [redacted].msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0429337	06/29/2021 11:10:57 AM				[redacted] dec 2017.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0383202	07/08/2021 12:27:22 PM	SEC staff	SEC staff		Fwd social media posts and schedule.msg		The email is intra-agency and reflects deliberations	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0383203	07/08/2021 12:27:22 PM				XRP_Chat_SEC_Data_Request.csv	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff and contractors regarding gathering information for ongoing litigation. The withheld email is deliberative because it reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the gathering and addressing the factual information.</p> <p>The withheld email and attachment were prepared by ENF attorneys and contractors in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p>	.csv	True
GC-LIT-0470-0273431	07/08/2021 04:26:59 PM	SEC staff	SEC staff	SEC staff	FW ripple - [redacted].msg			.msg	False
GC-LIT-0470-0273434	07/08/2021 04:26:59 PM				[redacted].pdf		The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0273435	07/08/2021 04:26:59 PM				[redacted].pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>with the attachments, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0273423	07/08/2021 07:25:57 PM	SEC staff	SEC staff		FW ripple - [redacted].msg			.msg	False
GC-LIT-0470-0273426	07/08/2021 07:25:57 PM				[redacted].pdf		<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it along</p>	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0273427	07/08/2021 07:25:57 PM				[redacted].pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>withheld email is deliberative because it, along with the attachments, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0273439	07/08/2021 07:49:59 PM	SEC staff	SEC staff	SEC staff	FW ripple - [redacted].msg		The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachments, reflects the nature of staff	.msg	False
GC-LIT-0470-0273442	07/08/2021 07:49:59 PM				[redacted].pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0273443	07/08/2021 07:49:59 PM				[redacted].pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>with the attachments, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0252502	07/13/2021 09:55:40 AM	SEC staff	SEC staff	SEC staff	Ripple - docs from [redacted] emails.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0252506	07/13/2021 09:55:40 AM				[redacted] memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0274023	07/13/2021 02:13:10 PM	SEC staff	SEC staff	SEC staff	Ripple [redacted] issue .msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0274026	07/13/2021 02:13:10 PM				[redacted] memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0273281	07/14/2021 04:21:06 PM	SEC staff	SEC staff		bates stamped versions from Recommind.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0273283	07/14/2021 04:21:06 PM				[redacted].pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0429860	07/14/2021 05:01:48 PM	SEC staff	SEC staff		RE bates stamped versions from Recommind.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0429862	07/14/2021 05:01:48 PM				[redacted].pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0273288	07/14/2021 05:08:31 PM	SEC staff	SEC staff		FW bates stamped versions from Recommind.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0273290	07/14/2021 05:08:31 PM				[redacted].pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0430359	07/16/2021 06:29:32 PM	SEC staff	SEC staff	SEC staff	FW Follow up - Ripple.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0430361	07/16/2021 06:29:32 PM				[redacted] memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0383797	10/18/2021 11:39:12 AM	SEC staff	SEC staff		FW Weekly - Enforcement Aging Report by POC Group - 2021-10-18.msg			.msg	False
GC-LIT-0470-0383798	10/18/2021 11:39:12 AM				Weekly - Enforcement Aging Report by POC Group - 2021-10-18.xlsx			.xlsx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0383801	10/18/2021 11:39:12 AM				Weekly - Enforcement Aging Report by POC Group - 2021-10-18.xlsx	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The email and attachment are intra-agency records regarding the status of tips, complaints, and referrals ("TCRs") referred to ENF staff. The withheld documents are deliberative because they reflect analysis by ENF attorneys of TCRs that may warrant investigation. The withheld information is pre-decisional because decisions had not been made about handling the TCRs or the legal issues relating to the investigation discussed in the records. Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation.	.xlsx	True
GC-LIT-0470-0383804	10/18/2021 11:39:12 AM				Weekly - Enforcement Aging Report by POC Group - 2021-10-18.xlsx			.xlsx	True
GC-LIT-0470-0383807	10/18/2021 11:39:12 AM				Weekly - Enforcement Aging Report by POC Group - 2021-10-18.xlsx			.xlsx	True
GC-LIT-0470-0447846	03/22/2022 03:50:48 PM	SEC staff	SEC staff	SEC staff	RE FOIA Requests for William Hinman's 63 emails.msg	Exemption 5 (deliberative process privilege)	The email and attachment are intra-agency records and contain analysis and recommendations in connection with deliberations over how to respond to a FOIA request. The withheld information is pre-decisional because decisions had not been made about what to release in response to a FOIA request.	.msg	False
GC-LIT-0470-0447847	03/22/2022 03:50:48 PM				WILLIAM HINMAN (63 EMAILS).pdf			.pdf	True
GC-LIT-0470-0447850	03/29/2022 11:23:05 AM	SEC staff	SEC staff	SEC staff	RE FOIA Requests for William Hinman's 63 emails.msg		The email and attachment are intra-agency records	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0447851	03/29/2022 11:23:05 AM				WILLIAM HINMAN (63 EMAILS).pdf	Exemption 5 (deliberative process privilege)	and contain analysis and recommendations in connection with deliberations over how to respond to a FOIA request. The withheld information is pre-decisional because decisions had not been made about what to release in response to a FOIA request.	.pdf	True
GC-LIT-0470-0447844	04/05/2022 12:32:55 PM	SEC staff	SEC staff	SEC staff	RE FOIA Requests for William Hinman's 63 emails.msg	The email and attachment are intra-agency records and contain analysis and recommendations in connection with deliberations over how to respond to a FOIA request. The withheld information is pre-decisional because decisions had not been made about what to release in response to a FOIA request.		.msg	False
GC-LIT-0470-0447845	04/05/2022 12:32:55 PM				WILLIAM HINMAN (63 EMAILS).pdf			.pdf	True
GC-LIT-0470-0315944	04/06/2022 03:51:10 PM	SEC staff	SEC staff		FW Ripple - docs from [redacted] emails.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0315948	04/06/2022 03:51:10 PM				2017.12.12 attach [redacted] memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it, along with the attachment, reflects the nature of staff deliberations. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0248182	04/06/2022 05:50:45 PM	SEC staff	SEC staff	SEC staff	Ripple RFAs - follow-up.msg		The email is intra-agency and reflects deliberations	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0248184	04/06/2022 05:50:45 PM				SEC-LIT-EMAILS-000330909 - SEC-LIT-EMAILS-000331011.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>by SEC staff regarding discovery issues. The withheld email, along with its attachment, is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of emails between Corp Fin staff and a third party, and disclosure of the attachment would reflect information about the discovery deliberations that are the subject of the email.</p> <p>In addition, the withheld attachment is subject to a request for confidential treatment. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0248190	04/06/2022 11:04:21 PM	SEC staff	SEC staff	SEC staff	Ripple RFAs - request for review.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0248191	04/06/2022 11:04:21 PM				[redacted] Letter SEC-LIT-EPROD-000738343.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment is a letter from a third party, but disclosing the attachment would reveal the nature of the deliberations in the email.</p> <p>In addition, the withheld attachment is subject to a request for confidential treatment. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0290732	04/07/2022 03:37:53 PM	SEC staff	SEC staff		FW Ripple RFAs - follow-up.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0290734	04/07/2022 03:37:53 PM				SEC-LIT-EMAILS-000330909 - SEC-LIT-EMAILS-000331011.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of information provided by a third party, and disclosure of the attachment would reflect information about the discovery deliberations that are the subject of the email.</p> <p>In addition, the withheld attachment is subject to a request for confidential treatment. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0248180	04/07/2022 03:55:52 PM	SEC staff	SEC staff	SEC staff	document we are discussing.msg	Exemption 5 (deliberative process privilege; attorney work-	The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.	.msg	False
GC-LIT-0470-0248181	04/07/2022 03:55:52 PM				SEC-LIT-EMAILS-000330909 - SEC-LIT-EMAILS-000331011.pdf	Exemption 5 (deliberative process privilege; attorney work-		.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0315958	04/08/2022 11:26:52 AM	SEC staff	SEC staff		FW Ripple RFAs - request for review.msg			.msg	False
GC-LIT-0470-0315959	04/08/2022 11:26:52 AM				[redacted] Letter SEC-LIT-EPROD-000738343.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment is a letter from a third party, but disclosing the attachment would reveal the nature of the deliberations in the email.</p> <p>In addition, the withheld attachment is subject to a request for confidential treatment. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0290735	04/08/2022 11:26:59 AM	SEC staff	SEC staff		FW Ripple RFAs - follow-up.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0290737	04/08/2022 11:26:59 AM				SEC-LIT-EMAILS-000330909 - SEC-LIT-EMAILS-000331011.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of information provided by a third party, and disclosure of the attachment would reflect information about the discovery deliberations that are the subject of the email.</p> <p>In addition, the withheld attachment is subject to a request for confidential treatment. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0572967	05/09/2022 06:50:55 PM	SEC staff	SEC staff		RE Their hour is up.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0572969	05/09/2022 06:50:55 PM				SEC-LIT-EPROD-000738343.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding discovery issues. The withheld email is deliberative because it contains staff deliberations about how to respond to discovery. The withheld information is pre-decisional because a decision had not been made about the discovery issues.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment is a letter from a third party, but disclosure of the attachment would reflect information about the discovery deliberations that are the subject of the email.</p> <p>In addition, the withheld attachment is subject to a request for confidential treatment. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0490750	05/24/2022 07:49:29 PM	SEC staff	SEC staff	SEC staff	RE ETH2.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0490752	05/24/2022 07:49:29 PM				Analysis of Ethereum 2.0 under Howey.pdf	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding the handling of a TCR. The withheld email is deliberative because it contains staff deliberations about how to handle the TCR. The withheld information is pre-decisional because a decision had not been made about the TCR.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of a memo prepared by ENF staff providing legal analysis regarding Ethereum 2.0. The memo is deliberative because it raises issues for further consideration. The memo is predecisional because no decision had been made about issues raised in the memo.</p>	.pdf	True
GC-LIT-0470-0290819	06/08/2022 02:56:41 PM	SEC staff	SEC staff		FW ETH2.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0290821	06/08/2022 02:56:41 PM				Analysis of Ethereum 2.0 under Howey.pdf	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding the handling of a TCR. The withheld email is deliberative because it contains staff deliberations about how to handle the TCR. The withheld information is pre-decisional because a decision had not been made about the TCR.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of a memo prepared by ENF staff providing legal analysis regarding Ethereum 2.0. The memo is deliberative because it raises issues for further consideration. The memo is predecisional because no decision had been made about issues raised in the memo.</p>	.pdf	True
GC-LIT-0470-0492721	06/08/2022 04:29:19 PM	SEC staff	SEC staff		Eth 2.0.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0492724	06/08/2022 04:29:19 PM				Analysis of Ethereum 2.0 under Howey.pdf	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff regarding the handling of a TCR. The withheld email is deliberative because it contains staff deliberations about how to handle the TCR. The withheld information is pre-decisional because a decision had not been made about the TCR.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of a memo prepared by ENF staff providing legal analysis regarding Ethereum 2.0. The memo is deliberative because it raises issues for further consideration. The memo is predecisional because no decision had been made about issues raised in the memo.</p>	.pdf	True
GC-LIT-0470-0246085	06/13/2022 07:09:29 PM	SEC staff	Szczepanik, Valerie		FW Confidential treatment requested under Rule 83 - Grayscale ZEC Trust.msg			.msg	False
GC-LIT-0470-0246086	06/13/2022 07:09:29 PM				Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20).PDF			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0246087	06/13/2022 07:09:29 PM				Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20 marked vs 6.6.19).PDF	Exemption 4	The withheld email and attachment contain information subject to a confidential treatment request. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0246101	06/13/2022 07:24:49 PM	SEC staff	SEC staff		FW Annotated DPW Zcash memo.msg	Exemption 4 Exemption 5 (deliberative process privilege)	The attachment includes handwritten notes that are intra-agency and reflect deliberations relating to the attachment. The notes are deliberative because they reflect deliberation about addressing the issues raised in the attachment. The notes are pre-decisional because a decision had not been made about the issues raised. The withheld attachment also consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege does not protect the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.msg	False
GC-LIT-0470-0246102	06/13/2022 07:24:49 PM				Annotated DPW Zcash Memo.pdf			.pdf	True
GC-LIT-0470-0246068	06/13/2022 07:25:09 PM	SEC staff	SEC staff		FW GrayscaleZEC Howey analysis.msg		The withheld email and attachment consist of	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0246069	06/13/2022 07:25:09 PM				Zcash memo.pdf	Exemption 4	information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0493034	06/13/2022 08:47:14 PM	SEC staff	SEC staff		OTCGrayscale - Zcash docs from Val.msg		The withheld attachments consist of information provided by a third party that are subject to confidential treatment requests or may otherwise contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations. One attachment also includes handwritten notes	.msg	False
GC-LIT-0470-0493049	06/13/2022 08:47:14 PM				Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20).PDF			.pdf	True
GC-LIT-0470-0493050	06/13/2022 08:47:14 PM				Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20 marked vs 6.6.19).PDF			.pdf	True
GC-LIT-0470-0493058	06/13/2022 08:47:14 PM				Zcash memo June 6.pdf			.pdf	True
GC-LIT-0470-0493063	06/13/2022 08:47:14 PM	SEC staff	Szczepanik, Valerie		FW Annotated DPW Zcash memo.msg			.msg	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0493064	06/13/2022 08:47:14 PM				Annotated DPW Zcash Memo.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	The attachment also includes handwritten notes that are intra-agency and reflect deliberations relating to the attachment. The notes are deliberative because they reflect deliberation about addressing the issues raised in the attachment. The notes are pre-decisional because a decision had not been made about the issues raised. The cover email contains no substantive information.	.pdf	True
GC-LIT-0470-0493065	06/13/2022 08:47:14 PM	SEC staff	Szczepanik, Valerie		FW GrayscaleZEC Howey analysis.msg			.msg	True
GC-LIT-0470-0493066	06/13/2022 08:47:14 PM				Zcash memo.pdf			.pdf	True
GC-LIT-0470-0492993	06/14/2022 05:57:50 PM	SEC staff	SEC staff	SEC staff	RE Grayscale follow-up.msg			.msg	False
GC-LIT-0470-0492994	06/14/2022 05:57:50 PM				Firm Exhibit 19_ZEC_Status of Zcash Under Federal Securities Laws 2020-07-24 (Davis Polk Memo)(Bates Range 001000-001038).pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0492995	06/14/2022 05:57:50 PM				Firm Exhibit 41_XLM_Davis Polk Memo- Status of XLM Under the Federal Securities Laws (August 11, 2021) (Bates Range 001474-001503).pdf			.pdf	True
GC-LIT-0470-0492996	06/14/2022 05:57:50 PM				Firm Exhibit 5_ZEN_Davis Polk - Status of Horizen (ZEN) Under the Federal Securities Laws (August 11, 2021).(Bates Range 000367-000397).pdf	Exemption 4	The email is an intra-agency email that reflects deliberations relating to the attached memos. The withheld email is deliberative because it reflects deliberation about how to address issues relating to the memos. The withheld information is pre-decisional because a decision had not been made about the issue raised.	.pdf	True
GC-LIT-0470-0492997	06/14/2022 05:57:50 PM				2019.06.06 Second DPW Zcash memo June 6.pdf	Exemption 5 (deliberative process privilege)	The withheld attachments consist of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0493141	08/22/2022 10:20:44 PM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff		RE Crypto TPs.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about talking points for a internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the talking points as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meetings or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p>	.msg	False
GC-LIT-0470-0493142	08/22/2022 10:20:44 PM				2022.08.22 Crypto Talking Points for Commissioner Meetings.docx			.docx	True
GC-LIT-0470-0493109	09/02/2022 11:19:53 AM	SEC staff	SEC staff		RE Interesting Email between Grayscale and ECC (Zcash).msg		The email is an intra-agency email that reflects	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0493110	09/02/2022 11:19:53 AM				2020.07.24 Third DPW Memo Redline 7.24.20 marked vs 6.6.19.PDF	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The email is an intra-agency email that reflects deliberations relating to the attached memos. The withheld email is deliberative because it reflects deliberation about how to address issues relating to the memos. The withheld information is pre-decisional because a decision had not been made about the issue raised. The withheld attachment consists of information provided by a third party that may contain confidential information. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations	.pdf	True
GC-LIT-0470-0796780	09/19/2022 01:48:09 PM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff		Meeting with Chair (parallel invite).msg		The email is intra-agency and reflects deliberations	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0796784	09/19/2022 01:48:09 PM	SEC staff	SEC staff		FW Crypto Update for meeting with the Chair 920.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489220	09/19/2022 05:20:49 PM	SEC staff	SEC staff		RE meeting tomorrow.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0493250	09/19/2022 06:19:52 PM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff	SEC staff	Crypto Update for meeting with the Chair 920.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0493246	09/19/2022 07:41:21 PM	SEC staff	SEC staff		FW Crypto Update for meeting with the Chair 920.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0290980	09/19/2022 09:17:24 PM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff		Meeting with Chair (parallel invite).msg		The email and attachment are intra-agency and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0290984	09/19/2022 09:17:24 PM	SEC staff	SEC staff		FW Crypto Update for meeting with the Chair 920.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>reflect deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email and attachment are deliberative because they contain staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0639940	09/20/2022 05:51:25 AM	SEC staff	SEC staff		Re meeting tomorrow.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0639939	09/20/2022 08:49:12 AM	SEC staff	SEC staff		RE meeting tomorrow.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0639942	09/20/2022 08:51:08 AM	SEC staff	SEC staff		RE meeting tomorrow.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489241	09/20/2022 04:52:15 PM	SEC staff	SEC staff	SEC staff	RE [redacted] Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489243	09/20/2022 05:09:14 PM	SEC staff	SEC staff	SEC staff	Re [redacted] Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489242	09/20/2022 06:15:21 PM	SEC staff	SEC staff	SEC staff	Re [redacted] Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0639961	09/20/2022 09:43:51 PM	SEC staff	SEC staff	SEC staff	RE [redacted] Meeting.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0639962	09/20/2022 09:43:51 PM				2022.09.20 TPs for Mtg re [redacted] and the Merge v 3.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about an ongoing investigation. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigation. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigation.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contains legal advice.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0639963	09/21/2022 08:04:32 AM	SEC staff	SEC staff	SEC staff	RE [redacted] Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p>	.msg	False
GC-LIT-0470-0639979	09/21/2022 02:12:03 PM	SEC staff	SEC staff	SEC staff	RE [redacted] Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0280185	09/23/2022 11:49:35 AM	SEC staff	SEC staff		meeting notes bitcoin futures monitoring committee.msg	Exemption 5 (deliberative process privilege)	The withheld email is intra-agency and consists of notes that reflect what SEC staff deemed important at a meeting. It is not clear whether the meeting involved anyone outside of the SEC. The withheld records are deliberative because they reflect what matters were important to ongoing issues within the SEC. The withheld information is pre-decisional because a decision had not been made about the matters the notes relate to.	.msg	False
GC-LIT-0470-0279006	09/23/2022 12:15:41 PM	SEC staff	SEC staff	SEC staff	Crypto This Week.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they reflect discussion about what matters the Division of Investment Management was should focusing and about issues relating to those matters. The withheld information is pre-decisional because a decision had not been made about the matters discussed in the email.	.msg	False
GC-LIT-0470-0632417	09/28/2022 10:50:25 AM	SEC staff	SEC staff	SEC staff	RE [redacted] investigation.msg			.msg	False
GC-LIT-0470-0632418	09/28/2022 10:50:25 AM				[redacted] Memo v. 16.docx		The email is intra-agency and reflects deliberations by SEC staff about matters to discuss relating to an	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0632419	09/28/2022 10:50:25 AM				Appx A v.2 (token chart).docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>ongoing investigation. The withheld email is deliberative because it contains staff deliberations about the approach in the ongoing investigation. The withheld information is pre-decisional because a decision had not been made about issues raised in the ongoing investigation.</p> <p>The withheld attachments are also an intra-agency document, and they are draft memoranda to the Commission about the ongoing investigation. The withheld attachments are deliberative because they contains staff deliberations about a possible enforcement action. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigation.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489336	09/28/2022 10:53:33 AM	SEC staff	SEC staff	SEC staff	RE [redacted] investigation.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about matters to discuss relating to an ongoing investigation. The withheld email is deliberative because it contains staff deliberations about the approach in the ongoing investigation. The withheld information is pre-decisional because a decision had not been made about issues raised in the ongoing investigation.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0632414	09/28/2022 10:54:49 AM	SEC staff	SEC staff		FW [redacted] investigation.msg			.msg	False
GC-LIT-0470-0632415	09/28/2022 10:54:49 AM				[redacted] Memo v. 16.docx		<p>The email is intra-agency and reflects deliberations by SEC staff about matters to discuss relating to an ongoing investigation. The withheld email is</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0632416	09/28/2022 10:54:49 AM				Appx A v.2 (token chart).docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>ongoing investigation. The withheld email is deliberative because it contains staff deliberations about the approach in the ongoing investigation. The withheld information is pre-decisional because a decision had not been made about issues raised in the ongoing investigation.</p> <p>The withheld attachments are also an intra-agency document, and they are draft memoranda to the Commission about the ongoing investigation. The withheld attachments are deliberative because they contains staff deliberations about a possible enforcement action. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigation.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice for the Commission.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0640032	09/28/2022 10:58:14 AM	SEC staff	SEC staff		RE [redacted] investigation.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about matters to discuss relating to an ongoing investigation. The withheld email is deliberative because it contains staff deliberations about the approach in the ongoing investigation. The withheld information is pre-decisional because a decision had not been made about issues raised in the ongoing investigation.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0242137	10/03/2022 11:59:01 AM	SEC staff	Szczepanik, Valerie		RE Follow Up and Thank You.msg		The withheld email discusses ongoing issues relating to crvto assets. The withheld email is	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0242138	10/03/2022 11:59:01 AM				135098d96f844cc8bfb0140eca2e80ee.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	<p>deliberative because it reflects discussion about what matters and issues SEC staff were proposing to focus on. The withheld information is pre-decisional because a decision had not been made about staff's focus.</p> <p>The withheld attachment is a September 2022 Fintech Update from the IMF and is provided only for individuals with an official sector email. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations</p>	.pdf	True
GC-LIT-0470-0337988	10/03/2022 12:34:12 PM	Uyeda, Mark T	SEC staff		Initial materials from Val .msg		The withheld email discusses ongoing issues relating to crypto assets. The withheld email is deliberative because it reflects discussion about what matters and issues SEC staff were proposing to focus on. The withheld information is pre-decisional because a decision had not been made about staff's focus.	.msg	False
GC-LIT-0470-0337989	10/03/2022 12:34:12 PM				135098d96f844cc8bfb0140eca2e80ee.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	<p>deliberative because it reflects discussion about what matters and issues SEC staff were proposing to focus on. The withheld information is pre-decisional because a decision had not been made about staff's focus.</p> <p>The withheld attachment is a September 2022 Fintech Update from the IMF and is provided only for individuals with an official sector email. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations</p>	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489395	10/03/2022 01:27:44 PM	SEC staff	SEC staff		RE CACU Updates for G&S.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0640110	10/03/2022 01:27:44 PM	SEC staff	SEC staff		RE CACU Updates for G&S.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0796837	10/03/2022 02:06:25 PM	Grewal, Gurbir; Wadhwa, Sanjay	SEC		Meeting with GG (parallel invite).msg		The email is intra-agency and reflects deliberations	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0796844	10/03/2022 02:06:25 PM				2022.10.3 Crypto TPs.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachments were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0803935	10/03/2022 02:07:20 PM	SEC staff	SEC staff		Meeting with GG (parallel invite).msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0803940	10/03/2022 02:07:20 PM				2022.10.3 Crypto TPS.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachments were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0335252	10/03/2022 07:02:21 PM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff		crypto TPS .msg		The email is intra-agency and reflects deliberations	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0335254	10/03/2022 07:02:21 PM				2022.10.3 Crypto TPs.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachments were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0788920	10/04/2022 07:18:44 AM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff		Meeting with Lizarraga (parallel invite).msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0788923	10/04/2022 07:18:44 AM				2022.10.3 Crypto TPs.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0241434	10/04/2022 07:25:32 AM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff		Meeting with GG (parallel invite).msg		The email is intra-agency and reflects deliberations	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0241441	10/04/2022 07:25:32 AM				2022.10.3 Crypto TPs.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0337999	10/04/2022 07:48:02 AM	SEC staff	SEC staff		FW crypto TPS .msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0338001	10/04/2022 07:48:02 AM				2022.10.3 Crypto TPS.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0242139	10/04/2022 08:17:45 AM	SEC staff	SEC staff		Re crypto TPS.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0242141	10/04/2022 08:17:45 AM				2022.10.3 Crypto TPs.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>The withheld attachment is also an intra-agency document, and it contains discussions about ongoing investigations. The withheld attachment is deliberative because it contains staff deliberations about the handling of the investigations. The withheld attachment is pre-decisional because decisions had not been made about issues relating to the investigations.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489427	10/10/2022 06:44:07 PM	Hirsch, David L	SEC staff		Re CACU Updates for G&S.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0640132	10/10/2022 06:44:07 PM	Hirsch, David L	SEC staff		Re CACU Updates for G&S.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine);	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0489426	10/10/2022 06:59:31 PM	Hirsch, David L	SEC staff		RE CACU Updates for G&S.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The email is intra-agency and reflects deliberations by SEC staff about what to discuss at an internal SEC meeting regarding ongoing investigations. The withheld email is deliberative because it contains staff deliberations about the meeting as well as about matters in certain investigations. The withheld information is pre-decisional because a decision had not been made about what to discuss at the meeting or about the investigations.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0493549	12/01/2022 03:52:40 PM	Sylvester, Mark	SEC staff		RE Zcash.msg			.msg	False
GC-LIT-0470-0493550	12/01/2022 03:52:40 PM				2018.12.17 First DPW Zcash memo.pdf		The email is an intra-agency email that reflects deliberations relating to the attached memos. The withheld email is deliberative because it reflects deliberation about how to address issues relating to the memos. The withheld information is pre-decisional because a decision had not been made	.pdf	True
GC-LIT-0470-0493551	12/01/2022 03:52:40 PM				2019.06.06 Second DPW Zcash memo June 6.pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0493552	12/01/2022 03:52:40 PM				2020.07.24 Third DPW Memo Confidential treatment requested under Rule 83 - Grayscale ZEC Trust (7.24.20).PDF	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>about the issue raised.</p> <p>Additionally, the withheld email was prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of memos from a third party, and disclosure of the attachments would reflect information about the deliberations that are the subject of the email.</p> <p>In addition, the withheld attachments are subject to requests for confidential treatment or otherwise may contain confidential information. Should Plaintiff seek the release of the attachment and should the SEC determine that the deliberative process privilege and attorney work product doctrine do not protect identification of the document, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0240602	12/14/2022 12:21:39 AM	Gerding, Erik	SEC staff		Crypto Research.msg		The withheld email and attachment are intra-	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0240604	12/14/2022 12:21:39 AM				Bitcoin Research.docx	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and consist of analysis of articles about crypto. The withheld records are deliberative because they reflect what issues and consideration SEC staff deemed to be important to matters SEC staff were working on. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.	.docx	True
GC-LIT-0470-0277954	12/17/2022 09:56:58 AM	Grewal, Gurbir; Wadhwa, Sanjay	SEC staff	ENF Front Office Counsel	tracking sheets.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are intra-agency and consist of updates and recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering.. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.	.msg	False
GC-LIT-0470-0277955	12/17/2022 09:56:58 AM				2022.12.16 redline.docx		The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters. Finally, the withheld email and attachment were prepared by attorneys and contains legal advice.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0485045	01/27/2023 12:18:58 PM	SEC staff	SEC staff	Hirsch, David L; SEC staff	FW [redacted] Update; [redacted] .msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.	.msg	False
GC-LIT-0470-0485046	01/27/2023 12:18:58 PM				2022.09.20 TPs for Mtg re [redacted] and the Merge v 3.docx		The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters. Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.	.docx	True
GC-LIT-0470-0601089	02/12/2023 12:19:50 PM	SEC staff	Hirsch, David L		List as of now.msg		The withheld email and attachment are intra-agency and consist of updates and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0601090	02/12/2023 12:19:50 PM				CACU Cases Timeline (DLH) v2.xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0288165	02/12/2023 03:56:37 PM	SEC staff	Hirsch, David L		Chart.msg		The withheld email and attachment are intra-agency and consist of updates and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0288166	02/12/2023 03:56:37 PM				CACU Cases Timeline (DLH) v2.xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0632808	02/13/2023 10:43:06 AM	SEC staff	SEC staff	Hirsch, David L	Update.msg		The withheld email and attachment are intra-agency and consist of updates and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0632809	02/13/2023 10:43:06 AM				CACU Cases 2023 Timeline.xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0473775	02/13/2023 11:54:00 AM	SEC staff	SEC staff	Hirsch, David L; SEC staff	RE Update.msg		The withheld email and attachment are intra-agency and consist of updates and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0473776	02/13/2023 11:54:00 AM				CACU Cases 2023 Timeline (mb).xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries. The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters. Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.	.xlsx	True
GC-LIT-0470-0633057	02/13/2023 11:54:00 AM	SEC staff	SEC staff	Hirsch, David L	RE Update.msg		The withheld email and attachment are intra-	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0633058	02/13/2023 11:54:00 AM				CACU Cases 2023 Timeline (mb).xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>agency and consist of updates and recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0485479	02/13/2023 05:16:00 PM	SEC staff	SEC staff		RE Update.msg		The withheld email and attachment are intra-agency and consist of updates and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0485481	02/13/2023 05:16:00 PM				Copy of CACU Cases 2023 Timeline (pek edits).xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0636411	02/13/2023 05:16:00 PM	SEC staff	SEC staff		RE Update.msg		<p>The withheld email and attachment are intra-agency and consist of updates and recommended next steps for many ongoing</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0636413	02/13/2023 05:16:00 PM				Copy of CACU Cases 2023 Timeline (pek edits).xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>recommended next steps for many ongoing investigations. The withheld records are deliberative because they address the next steps staff recommend in investigation and note issues they are considering. The withheld information is pre-decisional because a decision had not been made about the various crypto issues discussed in the summaries.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0485477	02/13/2023 06:26:43 PM	SEC staff	SEC staff	Hirsch, David L	Priority cases.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0485478	02/13/2023 06:26:43 PM				Copy of CACU Cases 2023 Timeline v2.xlsx			.xlsx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0636417	02/13/2023 06:26:43 PM	SEC staff	SEC staff	Hirsch, David L	Priority cases.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.	.msg	False
GC-LIT-0470-0636418	02/13/2023 06:26:43 PM				Copy of CACU Cases 2023 Timeline v2.xlsx		The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters. Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.	.xlsx	True
GC-LIT-0470-0485475	02/13/2023 08:46:36 PM	Hirsch, David L; SEC staff	SEC staff	SEC staff	FW Priority cases.msg		The withheld email and attachment are intra-agency and consist of legal analysis prepared by	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0485476	02/13/2023 08:46:36 PM				Copy of CACU Cases 2023 Timeline v2.xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0636415	02/13/2023 08:46:36 PM	Hirsch, David L; SEC staff	SEC staff	SEC staff	FW Priority cases.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0636416	02/13/2023 08:46:36 PM				Copy of CACU Cases 2023 Timeline v2.xlsx		<p>an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0288630	02/13/2023 09:16:13 PM	Hirsch, David L; SEC staff	SEC staff		CACU Cases Timeline + detailee staffing + intermediary role.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.	.msg	False
GC-LIT-0470-0288631	02/13/2023 09:16:13 PM				CACU Cases 2023 Timeline_Sylvester.xlsx		The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters. Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.	.xlsx	True
GC-LIT-0470-0636419	02/13/2023 09:16:13 PM	Hirsch, David L; SEC staff	SEC staff		CACU Cases Timeline + detailee staffing + intermediary role.msg		The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0636420	02/13/2023 09:16:13 PM				CACU Cases 2023 Timeline_Sylvester.xlsx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.xlsx	True
GC-LIT-0470-0636421	02/13/2023 09:26:57 PM	SEC staff	SEC staff		RE CACU Cases Timeline + detailee staffing + intermediary role.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email and attachment are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld records are deliberative because they discuss legal and factual issues relating to an ongoing investigation. The withheld information is pre-decisional because SEC staff had not yet resolved the legal or factual issues.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>Finally, the withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0636422	02/13/2023 09:26:57 PM				CACU Cases 2023 Timeline_Sylvester.xlsx			.xlsx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0595947	02/22/2023 12:24:10 PM	SEC staff	SEC staff		RE Is Ethereum a security.msg	Exemption 5 Exemption 8	<p>The emails are intra-agency and reflect deliberations by SEC staff regarding an examination conducted by staff in the Division of Examinations. The withheld emails are deliberative because they reflect consultative discussions between staff concerning the nature and focus of the subject examination. The withheld emails are pre-decisional because a decision had not been made about the examination.</p> <p>The withheld emails concern an SEC examination of a financial institution. The information in the withheld emails relate to an examination report prepared by or for the use of the SEC.</p>	.msg	False
GC-LIT-0470-0640950	02/23/2023 04:54:23 PM	SEC staff	SEC staff		FW Commodity Trading Advisor exemption and Ethereum-based crypto fund.msg	Exemption 5 Exemption 8	<p>The emails are intra-agency and reflect deliberations by SEC staff regarding an examination conducted by staff in the Division of Examinations. The withheld emails are deliberative because they reflect consultative discussions between staff concerning the nature and focus of the subject examination. The withheld emails are pre-decisional because a decision had not been made about the examination.</p> <p>The withheld emails concern an SEC examination of a financial institution. The information in the withheld emails relate to an examination report prepared by or for the use of the SEC.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0291146	02/23/2023 05:27:32 PM	SEC staff	SEC staff		Fwd Commodity Trading Advisor exemption and Ethereum-based crypto fund.msg	Exemption 5 Exemption 8	<p>The emails are intra-agency and reflects deliberations by SEC staff regarding an examination conducted by staff in the Division of Examinations. The withheld emails are deliberative because they reflect consultative discussions between staff concerning the nature and focus of the subject examination. The withheld emails are pre-decisional because a decision had not been made about the examination.</p> <p>The withheld emails concern an SEC examination of a financial institution. The information in the withheld emails relate to an examination report prepared by or for the use of the SEC.</p>	.msg	False
GC-LIT-0470-0494014	02/23/2023 09:22:43 PM	SEC staff	SEC staff		RE Commodity Trading Advisor exemption and Ethereum-based crypto fund.msg	Exemption 5 Exemption 8	<p>The emails are intra-agency and reflects deliberations by SEC staff regarding an examination conducted by staff in the Division of Examinations. The withheld emails are deliberative because they reflect consultative discussions between staff concerning the nature and focus of the subject examination. The withheld emails are pre-decisional because a decision had not been made about the examination.</p> <p>The withheld emails concern an SEC examination of a financial institution. The information in the withheld emails relate to an examination report prepared by or for the use of the SEC.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0240746	03/10/2023 11:47:13 AM	SEC staff	SEC staff	SEC staff	RE [redacted].msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	<p>The withheld emails are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld emails are deliberative because they reflect discussion about what matters and issues the SEC attorney proposed that Chair Gensler should focus on. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues in the email.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0279004	03/17/2023 04:46:45 PM	SEC staff	SEC staff	SEC staff	RE Quick and stupid question.msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	<p>The withheld emails are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld emails are deliberative because they reflect discussion about what matters and issues the SEC attorney proposed that Chair Gensler should focus on. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues in the email.</p> <p>The withheld email was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0455142	03/17/2023 04:54:47 PM	SEC staff	SEC staff	SEC staff	Re Quick and stupid question.msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	<p>The withheld emails are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld emails are deliberative because they reflect discussion about what matters and issues the SEC attorney proposed that Chair Gensler should focus on. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues in the email.</p> <p>The withheld email was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0279008	03/17/2023 05:02:27 PM	SEC staff	SEC staff	SEC staff	RE Quick and stupid question.msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	<p>The withheld emails are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld emails are deliberative because they reflect discussion about what matters and issues the SEC attorney proposed that Chair Gensler should focus on. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues in the email.</p> <p>The withheld email was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0279005	03/17/2023 05:20:57 PM	SEC staff	SEC staff		RE Quick and stupid question.msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	<p>The withheld emails are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld emails are deliberative because they reflect discussion about what matters and issues the SEC attorney proposed that Chair Gensler should focus on. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues in the email.</p> <p>The withheld email was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0455151	03/17/2023 08:17:19 PM	SEC staff	SEC staff		Re Quick and stupid question.msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	<p>The withheld emails are intra-agency and consist of legal analysis prepared by an SEC attorney. The withheld emails are deliberative because they reflect discussion about what matters and issues the SEC attorney proposed that Chair Gensler should focus on. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues in the email.</p> <p>The withheld email was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0246923	03/21/2023 02:10:08 PM	SEC staff	SEC staff		FW Coinbase Intent to Offer New Assets (With Attachment).msg	Exemption 4	The withheld email and the attachment consist of correspondence and a document provided by a third party, which sought FOIA confidential treatment of their submissions, in connection with an ENF matter unrelated to Ether or the Ethereum 2.0 investigation.	.msg	False
GC-LIT-0470-0246924	03/21/2023 02:10:08 PM				Coinbase SEC New Asset Submission 6.28.18 .pdf			.pdf	True
GC-LIT-0470-0486395	04/10/2023 12:11:49 PM	SEC staff	SEC staff	SEC staff	Ethereum 2.0 (C-08950) Draft CCM TPs.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	The withheld email and attachment are intra-agency records prepared by SEC attorneys. They contain analysis and recommendations in connection with the Ethereum 2.0 investigation, to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigations and matters discussed in the records. The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.	.msg	False
GC-LIT-0470-0486396	04/10/2023 12:11:49 PM				CCM Draft Talking Points_4.13.23v3.docx			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0486479	04/11/2023 08:05:09 PM	SEC staff	SEC staff	SEC staff	FW Ethereum 2.0 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld email is an intra-agency record prepared by an SEC attorney. The withheld email contains legal analysis and recommendations in connection with the Ethereum 2.0 investigation to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation.</p> <p>The withheld email was prepared by an ENF attorney in anticipation of litigation and contains legal analysis relating to an Enforcement matter.</p> <p>The withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False
GC-LIT-0470-0486480	04/11/2023 08:13:28 PM	SEC staff	SEC staff	SEC staff	Re Ethereum 2.0 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld emails are intra-agency records prepared by an SEC attorney. The withheld emails contain legal analysis and recommendations in connection with the Ethereum 2.0 investigation to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation.</p> <p>The withheld emails were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an Enforcement matter.</p> <p>The withheld emails were prepared by attorneys and contain legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0486481	04/11/2023 08:14:30 PM	SEC staff	SEC staff	SEC staff	Re Ethereum 2.0 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld emails are intra-agency records prepared by an SEC attorney. The withheld emails contain legal analysis and recommendations in connection with the Ethereum 2.0 investigation to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation.</p> <p>The withheld emails were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an Enforcement matter.</p> <p>The withheld emails were prepared by attorneys and contain legal advice.</p>	.msg	False
GC-LIT-0470-0486482	04/11/2023 08:15:10 PM	SEC staff	SEC staff	SEC staff	Re Ethereum 2.0 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld emails are intra-agency records prepared by an SEC attorney. The withheld emails contain legal analysis and recommendations in connection with the Ethereum 2.0 investigation to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation.</p> <p>The withheld emails were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an Enforcement matter.</p> <p>The withheld emails were prepared by attorneys and contain legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0637347	04/12/2023 01:53:37 PM	SEC staff	SEC staff	SEC staff	FW Ethereum 2.0 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	The withheld emails and attachment are intra-agency records prepared by SEC attorneys. They contain analysis and recommendations in connection with the Ethereum 2.0 investigation, to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation and matters discussed in the records. The withheld emails and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.	.msg	False
GC-LIT-0470-0637348	04/12/2023 01:53:37 PM				CCM Draft Talking Points_4.13.23v4.docx		The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.		
GC-LIT-0470-0486420	04/12/2023 02:47:19 PM	SEC staff	SEC staff	SEC staff	FW Ethereum 2.0 CCM.msg		The withheld email and attachment were prepared by attorneys and contain legal advice.	.docx	True
GC-LIT-0470-0486420	04/12/2023 02:47:19 PM	SEC staff	SEC staff	SEC staff	FW Ethereum 2.0 CCM.msg		The withheld email and attachment are intra-	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0486421	04/12/2023 02:47:19 PM				CCM Draft Talking Points_4.13.23v4.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>agency records prepared by SEC attorneys. They contain analysis and recommendations in connection with the Ethereum 2.0 investigation, to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation and matters discussed in the records.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice.</p>	.docx	True
GC-LIT-0470-0643003	04/12/2023 05:11:18 PM	SEC staff	SEC staff		Questions for tomorrow's meeting.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld email is an intra-agency record prepared by an SEC attorney. The withheld email contains legal analysis and recommendations in connection with Enforcement matters, including the Ethereum 2.0 investigation, to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigations.</p> <p>The withheld email was prepared by an ENF attorney in anticipation of litigation and contains legal analysis relating to an Enforcement matter.</p> <p>The withheld email was prepared by attorneys and contains legal advice.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238587	04/12/2023 05:12:29 PM	SEC staff	SEC staff	SEC staff	413 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld email is an intra-agency record prepared by an SEC attorney. The withheld email consists of discussion about ENF matters to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The withheld email was prepared to provide legal advice to the Chair relating to ENF and Commission matters.</p> <p>The email was prepared by an attorney in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238589	04/12/2023 05:12:29 PM				Apr 13, 2023 CCM.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld attachment is an intra-agency record prepared by SEC attorneys. The attachment consists of a list of ENF matters, including matter descriptions, legal analyses, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the matters discussed in the document.</p> <p>The attachment was prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF matters.</p> <p>The attachment was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238590	04/12/2023 05:12:29 PM				Script for REMOTE MEETING 2023-04-13.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld attachment is an intra-agency record prepared by SEC attorneys. The attachment consists of discussion about ENF matters to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the attachment.</p> <p>Information in the attached was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238592	04/12/2023 05:12:29 PM				2- Ethereum 2.0.pdf	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld attachment is an intra-agency record prepared by SEC attorneys. The attachment consists of discussion about an ENF matter to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of an ENF matter and Enforcement staff's recommendation to the Commission on how to proceed with the matter. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the attachment.</p> <p>The attachment was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to an ENF matter.</p> <p>The attachment was prepared by ENF attorneys to provide legal advice to the Chair and Commissioners relating to an ENF matter.</p>	.pdf	True
GC-LIT-0470-0264972	04/13/2023 08:25:05 AM	SEC staff	SEC staff		CCM Bullets.msg		The withheld email and attachment are intra-agency records prepared by SEC attorneys. The	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0264973	04/13/2023 08:25:05 AM				04.13.23 CCM Bullets.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>Agency records prepared by SEC attorneys for the email and attachment consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The email and attachment are pre-decisional because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting.</p> <p>The withheld email and attachment were prepared by attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The email and attachment were prepared to provide legal advice to a Commissioner relating to ENF and Commission matters.</p>	.docx	True
GC-LIT-0470-0238991	04/13/2023 09:58:41 AM	SEC staff	SEC staff	SEC staff	CCM Notes.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	The withheld email and attachment are intra-agency records prepared by SEC attorneys. The email and attachment consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The email and attachment are pre-decisional because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting.	.msg	False
GC-LIT-0470-0238992	04/13/2023 09:58:41 AM				CCM Notes 04.13.23 (Draft 04.13.23).docx		<p>The withheld email and attachment were prepared by attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The email and attachment were prepared to provide legal advice to a Commissioner relating to ENF and Commission matters.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0473697	04/13/2023 10:12:15 AM	SEC staff	SEC staff	SEC staff	CCM Q&A tracker.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The withheld email and attachment are intra-agency records prepared by SEC attorneys. The email and attachment consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The email and attachment are pre-decisional because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting.	.msg	False
GC-LIT-0470-0473698	04/13/2023 10:12:15 AM				ENF Front Office CCM Q&A Tracker (April 13, 2023).docx		The withheld email and attachment were prepared by attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.	.docx	True
GC-LIT-0470-0318986	04/13/2023 10:49:20 AM	SEC staff	SEC staff		FW Today's CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The withheld email is an intra-agency record prepared by an SEC attorney. The withheld email consists of discussion about ENF matters to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email. The email was prepared by an attorney in anticipation of litigation and contains legal analysis relating to ENF matters.	.msg	False
GC-LIT-0470-0264974	04/13/2023 11:04:21 AM	SEC staff	SEC staff	SEC staff	RE CCM Bullets.msg		The withheld email and attachment are intra-agency records prepared by SEC attorneys. The	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0264975	04/13/2023 11:04:21 AM				04.13.23 CCM Bullets.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>email and attachment consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The email and attachment are pre-decisional because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting.</p> <p>The withheld email and attachment were prepared by attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The email and attachment were prepared to provide legal advice to a Commissioner relating to ENF and Commission matters.</p>	.docx	True
GC-LIT-0470-0238601	04/13/2023 11:14:12 AM	SEC staff	SEC staff	SEC staff	FW 413 CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld email is an intra-agency record prepared by an SEC attorney. The withheld email consists of discussion about ENF matters to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The withheld email was prepared to provide legal advice to the Chair relating to ENF and Commission matters.</p> <p>The email was prepared by an attorney in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238603	04/13/2023 11:14:12 AM				Apr 13, 2023 CCM.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld attachment is an intra-agency record prepared by SEC attorneys. The attachment consists of a list of ENF matters, including matter descriptions, legal analyses, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the matters discussed in the document.</p> <p>The attachment was prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF matters.</p> <p>The attachment was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238605	04/13/2023 11:14:12 AM				2- Ethereum 2.0.pdf	Exemption 5 (deliberative process privilege; attorney work-product doctrine; attorney-client privilege)	<p>The withheld attachment is an intra-agency record prepared by SEC attorneys. The attachment consists of discussion about an ENF matter to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of an ENF matter and Enforcement staff's recommendation to the Commission on how to proceed with the matter. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the attachment.</p> <p>The attachment was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to an ENF matter.</p> <p>The attachment was prepared by ENF attorneys to provide legal advice to the Chair and Commissioners relating to an ENF matter.</p>	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0238606	04/13/2023 11:14:12 AM				Script for REMOTE MEETING 2023-04-13.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld attachment is an intra-agency record prepared by SEC attorneys. The attachment consists of discussion about ENF matters to be discussed at an upcoming closed Commission meeting. The email is deliberative because it contains analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the attachment.</p> <p>Information in the attached was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True
GC-LIT-0470-0294993	04/13/2023 11:18:17 AM	SEC staff	SEC staff		RE Today's CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld emails are an intra-agency record prepared by an SEC attorney. The withheld emails consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The emails are deliberative because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The emails are pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The emails were prepared by attorneys in anticipation of litigation and contain legal analysis relating to ENF matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0295276	04/13/2023 11:21:32 AM	SEC staff	SEC staff		RE Today's CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld emails are an intra-agency record prepared by an SEC attorney. The withheld emails consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The emails are deliberative because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The emails are pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The emails were prepared by attorneys in anticipation of litigation and contain legal analysis relating to ENF matters.</p>	.msg	False
GC-LIT-0470-0318985	04/13/2023 11:22:05 AM	SEC staff	SEC staff		FW Today's CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld emails are an intra-agency record prepared by an SEC attorney. The withheld emails consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The emails are deliberative because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The emails are pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The emails were prepared by attorneys in anticipation of litigation and contain legal analysis relating to ENF matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0508156	04/13/2023 11:22:28 AM	SEC staff	SEC staff		RE Today's CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld emails are an intra-agency record prepared by an SEC attorney. The withheld emails consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The emails are deliberative because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The emails are pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The emails were prepared by attorneys in anticipation of litigation and contain legal analysis relating to ENF matters.</p>	.msg	False
GC-LIT-0470-0294995	04/13/2023 11:29:36 AM	SEC staff	SEC staff		RE Today's CCM.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld emails are an intra-agency record prepared by an SEC attorney. The withheld emails consist of discussions about ENF matters to be discussed at an upcoming closed Commission meeting. The emails are deliberative because they contain analysis of various ENF matters and possible questions and issues to discuss at the upcoming meeting. The emails are pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email.</p> <p>The emails were prepared by attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.msg	False
GC-LIT-0470-0646392	04/13/2023 03:12:21 PM	SEC staff	SEC staff		PJB notes from 4132023 CCM .msg	WIF - Exemption 5	The email and attachment are intra-agency records	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0646393	04/13/2023 03:12:21 PM				2023.04.13 CCM Notes (PJB).docx	Exemption 5 (deliberative process privilege)	prepared by an SEC attorney. The email and attachment contain staff's non-verbatim notes taken during a closed Commission meeting concerning various ENF matters. The records are deliberative because they reflect the note-taker's selective notes of the information deemed important for further discussion of the matters discussed during the closed Commission meeting. The records are pre-decisional because decisions had not been made in relation to the issues and matters discussed during the closed Commission meeting.	.docx	True
GC-LIT-0470-0264965	04/13/2023 04:12:10 PM	SEC staff	SEC staff	SEC staff	413 CCM Summary.msg	Exemption 5 (deliberative process privilege)	The email and attachment are intra-agency records prepared by an SEC attorney. The email and attachment contain staff's non-verbatim notes taken during a closed Commission meeting concerning various ENF matters. The records are deliberative because they reflect the note-taker's selective notes of the information deemed important for further discussion of the matters discussed during the closed Commission meeting. The records are pre-decisional because decisions had not been made in relation to the issues and matters discussed during the closed Commission meeting.	.msg	False
GC-LIT-0470-0640967	04/14/2023 08:14:37 AM	SEC staff	SEC staff		4.13.23.docx.msg		The email and attachment are intra-agency records prepared by an SEC attorney. The email and	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0640968	04/14/2023 08:14:37 AM				4.13.23.docx	Exemption 5 (deliberative process privilege)	prepared by an SEC attorney. The email and attachment contain staff's non-verbatim notes taken during a closed Commission meeting concerning various ENF matters. The records are deliberative because they reflect the note-taker's selective notes of the information deemed important for further discussion of the matters discussed during the closed Commission meeting. The records are pre-decisional because decisions had not been made in relation to the issues and matters discussed during the closed Commission meeting.	.docx	True
GC-LIT-0470-0362118	04/20/2023 11:22:50 AM	SEC staff	SEC staff	SEC staff	RE Coinbase - Wells submission.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The withheld email is an intra-agency record prepared by an ENF attorney. The email is deliberative because it reflects internal analysis and points of discussion upon staff's review of Coinbase's Wells Submission as part of an SEC investigation. The email is pre-decisional because decisions had not been made in relation to the issues and matters discussed in the email. The email was prepared by an attorney in anticipation of litigation and contains legal analysis relating to ENF matters.	.msg	False
GC-LIT-0470-	06/06/2023 08:21:28 PM	Hirsch, David L	SEC staff	SEC staff	eToro - update.msg		The withheld email contains analysis prepared by an SEC attorney regarding a settlement proposal.	.msg	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-	06/06/2023 08:21:28 PM				2023.06.06 eToro Token Presentation.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld record is deliberative because it reflects discussion about a response to a settlement proposal. The withheld information is pre-decisional because a decision had not been made about the response to the settlement proposal.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of a settlement prepared by a third party which sought confidential treatment for the submission. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-	06/07/2023 12:02:43 PM	Hirsch, David L	SEC staff		FW eToro - update.msg		The withheld email contains analysis prepared by an SEC attorney regarding a settlement proposal.	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-	06/07/2023 12:02:43 PM				2023.06.06 eToro Token Presentation.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	The withheld record is deliberative because it reflects discussion about a response to a settlement proposal. The withheld information is pre-decisional because a decision had not been made about the response to the settlement proposal. The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters. The withheld attachment consists of a settlement prepared by a third party which sought confidential treatment for the submission. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0265007	06/12/2023 04:33:57 PM	UyedaCounsel; Uyeda, Mark T; SEC staff	SEC staff		Chair Gensler Lecture re Ether in 2018.msg	Exemption 5 (deliberative process privilege)	The withheld email is intra-agency and contains legal analysis. The withheld record is deliberative because it discusses an issue that SEC staff were considering. The withheld information is pre-decisional because a decision had not been made about the legal issues discussed in the email	.msg	False
GC-LIT-0470-0641112	07/14/2023 01:15:12 PM	Hirsch, David L; SEC staff	SEC staff	SEC staff	Eth 2.0 (C-8950).msg		The withheld email discusses and attaches a	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0641113	07/14/2023 01:15:12 PM				2023-07-13 DRAFT [redacted] re Ethereum 2.0.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>draft letter SEC staff was considering sending in connection with an investigation. The draft letter contains legal analysis prepared by an SEC attorney. The withheld records are deliberative because they reflect discussion about how to conduct the investigation and about legal theories relevant to the investigation. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues discussed in the email.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p>	.docx	True
GC-LIT-0470-0641110	07/20/2023 09:23:28 AM	Hirsch, David L; SEC staff	SEC staff	SEC staff	FW Eth 2.0 (C-8950).msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0641111	07/20/2023 09:23:28 AM				2023-07-13 DRAFT [redacted] re Ethereum 2.0.docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld email discusses and attaches a draft letter SEC staff was considering sending in connection with an investigation. The draft letter contains legal analysis prepared by an SEC attorney. The withheld records are deliberative because they reflect discussion about how to conduct the investigation and about legal theories relevant to the investigation. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues discussed in the email.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p>	.docx	True
GC-LIT-0470-0602482	07/21/2023 11:03:48 AM	SEC staff	Hirsch, David L	SEC staff	RE Eth 2.0 (C-8950).msg		<p>The withheld email discusses and attaches a draft letter SEC staff was considering sending in</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0602483	07/21/2023 11:03:48 AM				2023-07-13 DRAFT [redacted] re Ethereum 2.0 (DLH).docx	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>draft letter SEC staff was considering sending in connection with an investigation. The draft letter contains legal analysis prepared by an SEC attorney. The withheld records are deliberative because they reflect discussion about how to conduct the investigation and about legal theories relevant to the investigation. The withheld information is pre-decisional because a decision had not been made about the effect of the legal issues discussed in the email.</p> <p>The withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p>	.docx	True
GC-LIT-0470-0460749	08/14/2023 06:16:16 PM	SEC staff	SEC staff		Re Time for an ETH Discussion.msg	Exemption 5 (deliberative process privilege)	The withheld email is intra-agency and contains legal analysis prepared by an SEC attorney. The withheld record is deliberative because it makes a recommendation related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False
GC-LIT-0470-0458032	08/14/2023 06:20:47 PM	SEC staff	SEC staff		RE Time for an ETH Discussion.msg	Exemption 5 (deliberative process privilege)	The withheld email is intra-agency and contains legal analysis prepared by an SEC attorney. The withheld record is deliberative because it makes a recommendation related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0458033	08/14/2023 08:42:08 PM	SEC staff	SEC staff	SEC staff	RE Re ETH Futures ETF Comments Guide.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain legal analysis prepared by SEC attorneys. The withheld records are deliberative because they make recommendations and discuss issues related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False
GC-LIT-0470-0458034	08/14/2023 08:42:08 PM				DRAFT ETH Futures ETFs - Comment Guide - Draft 8.14.23 BN.docx			.docx	True
GC-LIT-0470-0460747	08/15/2023 08:36:53 AM	SEC staff	SEC staff	SEC staff	Re Draft ETH Futures ETF Comments Guide.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain legal analysis prepared by SEC attorneys. The withheld records are deliberative because they make recommendations and discuss issues related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False
GC-LIT-0470-0460748	08/15/2023 08:36:53 AM				DRAFT ETH Futures ETFs - Comment Guide - Draft 8.15.23.docx			.docx	True
GC-LIT-0470-0281207	08/15/2023 10:27:45 AM	SEC staff	SEC staff	SEC staff	RE Re Draft ETH Futures ETF Comments Guide.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain legal analysis prepared by SEC attorneys. The withheld records are deliberative because they make recommendations and discuss issues related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False
GC-LIT-0470-0281208	08/15/2023 10:27:45 AM				DRAFT ETH Futures ETFs - Comment Guide - Draft 8.15.23 +MS.docx			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0280418	08/15/2023 11:37:16 AM	SEC staff	SEC staff		FW Re Draft ETH Futures ETF Comments Guide.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain legal analysis prepared by SEC attorneys. The withheld records are deliberative because they make recommendations and discuss issues related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False
GC-LIT-0470-0280419	08/15/2023 11:37:16 AM				DRAFT ETH Futures ETFs - Comment Guide - Draft 8.15.23.docx			.docx	True
GC-LIT-0470-0460758	08/15/2023 11:52:51 AM	SEC staff	SEC staff	SEC staff	RE Re Draft ETH Futures ETF Comments Guide.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain legal analysis prepared by SEC attorneys. The withheld records are deliberative because they make recommendations and discuss issues related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False
GC-LIT-0470-0460759	08/15/2023 11:52:51 AM				DRAFT ETH Futures ETFs - Comment Guide - Draft 8.15.23 +MS.docx			.docx	True
GC-LIT-0470-0587715	08/17/2023 12:26:40 PM	SEC staff	SEC staff	SEC staff	RE ETH Futures ETFs - 2x Draft Comments re ETH Regulatory Risks.msg	Exemption 5 (deliberative process privilege)	The withheld email is intra-agency and contains legal analysis prepared by an SEC attorney. The withheld record is deliberative because it makes a recommendation related to consideration of ether futures filings. The withheld information is pre-decisional because a decision had not been made about ether futures filings.	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0641172	09/20/2023 02:10:44 PM	Hirsch, David L; SEC staff	SEC staff	SEC staff	RE Eth 2.0 (C-8950).msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld email is intra-agency and in preparation for a call among SEC staff lists issues to discuss and consider about the conduct of an ongoing investigation. The withheld records are deliberative because they reflect discussion about conducting an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False
GC-LIT-0470-0509637	09/21/2023 12:08:57 PM	Hirsch, David L; SEC staff	SEC staff		Eth 2.0 - Draft Email to CFGC.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld email is intra-agency and provides a draft email to send to other SEC staff about issues to consider in connection with an ongoing investigation. The withheld records are deliberative because they contain a draft email and reflect discussion about conducting an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0643832	09/21/2023 12:35:27 PM	Hirsch, David L; SEC staff	SEC staff		RE Eth 2.0 - Draft Email to CFGC.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld email is intra-agency and provides a draft email to send to other SEC staff about issues to consider in connection with an ongoing investigation. The withheld records are deliberative because they contain a draft email and reflect discussion about conducting an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False
GC-LIT-0470-0603026	09/21/2023 12:39:17 PM	SEC staff	Hirsch, David L		Re Eth 2.0 - Draft Email to CFGC.msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld email is intra-agency and provides a draft email to send to other SEC staff about issues to consider in connection with an ongoing investigation. The withheld records are deliberative because they contain a draft email and reflect discussion about conducting an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0505297	09/21/2023 12:41:33 PM	SEC staff	SEC staff	Hirsch, David L; SEC staff	Eth 2.0 (C-8950).msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>issues to consider in connection with an ongoing investigation. The withheld record is deliberative because it discusses how to resolve issues related to an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False
GC-LIT-0470-0782604	09/21/2023 12:44:49 PM	SEC staff	SEC staff		Eth 2.0 (C-8950).msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>issues to consider in connection with an ongoing investigation. The withheld record is deliberative because it discusses how to resolve issues related to an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0642624	09/26/2023 01:35:11 PM	SEC staff	SEC staff		FW Eth 2.0 (C-8950).msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>issues to consider in connection with an ongoing investigation. The withheld record is deliberative because it discusses how to resolve issues related to an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False
GC-LIT-0470-0505298	09/26/2023 04:25:45 PM	SEC staff	SEC staff	SEC staff	FW Eth 2.0 (C-8950).msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>issues to consider in connection with an ongoing investigation. The withheld record is deliberative because it discusses how to resolve issues related to an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0508012	09/27/2023 04:22:41 PM	Hirsch, David L	SEC staff		Fwd Eth 2.0 (C-8950).msg	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	issues to consider in connection with an ongoing investigation. The withheld record is deliberative because it discusses how to resolve issues related to an investigation. The withheld information is pre-decisional because a decision had not been made about the issues discussed in the email. The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.	.msg	False
GC-LIT-0470-	10/16/2023 10:04:14 AM	SEC staff	SEC staff	Hirsch, David L	FW Galaxy Digital, NY-10522.msg		The withheld email concerns a settlement proposal submitted to the SEC. The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.	.msg	False
GC-LIT-0470-	10/16/2023 10:04:14 AM				2013.10.13.Voluntary.Submission.Galaxy.Digital--FOIA CONFIDENTIAL TREATMENT REQUESTED.pdf	Exemption 4 Exemption 5 (attorney work-product doctrine)	The withheld attachment consists of a memo by a third party which sought confidential treatment for the submission. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.	.pdf	True
GC-LIT-0470-0325064	11/03/2023 04:59:02 PM	Peirce, Hester	SEC staff		[redacted] Research.msg		The withheld email is intra-agency and reflects deliberations regarding issues relating to crypto	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0325069	11/03/2023 04:59:02 PM				Analyzing the SEC's Concerns Regarding Digital Assets and NFTs.pdf	Exemption 4 Exemption 5 (deliberative process privilege)	<p>deliberations regarding issues relating to crypto assets. The withheld record is deliberative because it reflects what issues Commissioner Peirce was considering. The withheld information is pre-decisional because a decision had not been made about the issue the email addresses.</p> <p>The withheld attachment consists of a research paper prepared by a third party. The SEC's understanding is that this paper is not publicly available. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations</p>	.pdf	True
GC-LIT-0470-0506722	11/14/2023 12:26:47 PM	Hirsch, David L; SEC staff	SEC staff		ETH 2.0 (C-8950).msg		<p>The withheld email is intra-agency and lists issues that warrant further discussion. The withheld record is deliberative because it lists</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0506723	11/14/2023 12:26:47 PM				[B4]--FOIA CONFIDENTIAL TREATMENT REQUESTED.pdf	Exemption 4 Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>Withheld record is deliberative because it lists issues that the staff believed they needed to address and provides ideas and questions related to those issues. The withheld information is pre-decisional because a decision had not been made about the issues raised in the email.</p> <p>The withheld email was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>The withheld attachment consists of correspondence provided by a third party, which sought FOIA confidential treatment of their submission. Should Plaintiff seek the release of the attachment, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.</p>	.pdf	True
GC-LIT-0470-0514330	12/18/2023 09:20:45 AM	SEC staff	SEC staff		FW New Referral.msg		<p>The withheld email thread is intra-agency and reflects deliberations by SEC staff in the Division of Investment Management regarding a referral submitted by a third party to the Division of Corporation Finance. The withheld emails are deliberative because they reflect consultative discussions between staff about how to handle the</p>	.msg	False
GC-LIT-0470-0514331	12/18/2023 09:20:45 AM	IM-Referrals	Gessert, David	Lin, David; Gorman, Stacie	[B5] - IM Referral (871 KB).msg			.msg	True
GC-LIT-0470-0514332	12/18/2023 09:20:45 AM				Response Lttr (11-14-23).pdf			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0514333	12/18/2023 09:20:45 AM				Blackline 1-A Amendment.pdf	Exemption 5 (deliberative process privilege)	referral. The withheld emails are pre-decisional because a decision had not been made about the referral. The withheld attachments consist of the third party referral email as well as a letter from the third party and draft offering statement filing. These records were included as part of the discussion by staff about how to handle the referral.	.pdf	True
GC-LIT-0470-0448097	01/24/2024 11:30:10 PM	Tenreiro, Jorge; Hirsch, David L; Sawhney, Pamela	Hitchins, Kathleen M		RE [B5] proposal.msg	Exemption 5 (deliberative process privilege; attorney-client privilege)	The withheld email thread and attachment are intra-agency and contain discussion about and proposed edits to proposed SEC rulemaking. The thread is deliberative because it reflects discussion, comments, questions, and analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking. Additionally, the email thread contains legal analysis and advice from ENF attorneys for Commission staff in connection with rulemaking. The withheld attachment consists of non-final draft rulemaking that reflects comments and edits from staff.	.msg	False
GC-LIT-0470-0448098	01/24/2024 11:30:10 PM				[B5] to CO_OGC (1.11.2024).vas.am s_kh.docx				
GC-LIT-0470-0277466	01/25/2024 07:02:13 PM	Raimo, Tyler	Frayner, Corey	Rao, Sai; Percival, Heather; Ostrom, Samantha J.	Crypto CO Comments.msg		The withheld email and attachment are intra-agency and contain discussion about and proposed	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0277467	01/25/2024 07:02:13 PM				[B5] (sjo)(csffinal).docx	Exemption 5 (deliberative process privilege)	<p>edits to proposed SEC rulemaking. The email is deliberative because it reflects a proposal about analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking.</p> <p>The withheld attachment consists of non-final draft rulemaking that reflects comments and edits from staff.</p>	.docx	True
GC-LIT-0470-0447984	01/25/2024 07:55:37 PM	#NMS Stock ATS Team; Juzenas, Eric; Shillman, David S.; Orr, Andrea; Ding, Yue; Miller, William; Druding, Kyle	Raimo, Tyler		Fwd Crypto CO Comments.msg	Exemption 5 (deliberative process privilege)	<p>The withheld email and attachment are intra-agency and contain discussion about and proposed edits to proposed SEC rulemaking. The email is deliberative because it reflects a proposal about analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking.</p>	.msg	False
GC-LIT-0470-0447985	01/25/2024 07:55:37 PM				[B5] (sjo)(csffinal).docx	Exemption 5 (deliberative process privilege)	<p>The withheld attachment consists of non-final draft rulemaking that reflects comments and edits from staff.</p>	.docx	True
GC-LIT-0470-0782175	01/26/2024 05:51:55 PM	Pauley, Kristin; Hirsch, David L; Tenreiro, Jorge; SEC Staff	Pauley, Kristin		Eth 2.0 (C-8950).msg	Exemption 4	<p>The withheld email consists of a request for a meeting concerning the Ethereum 2.0 investigation. The request is from an attorney relating to an ENF matter.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0782176	01/26/2024 05:51:55 PM				[B4]--FOIA CONFIDENTIAL TREATMENT REQUESTED.pdf	Exemption 5 (attorney work-product doctrine)	The withheld attachment consists of correspondence provided by a third party, which sought FOIA confidential treatment of their submission.	.pdf	True
GC-LIT-0470-0277535	01/26/2024 06:10:40 PM	Mofakham, Parisa; Raimo, Tyler; Kiefer, Zachary; Hsia, Eugene; Hui, Vivian Sui Nam; Starr, Amy; Woo, Seung Won; Mitchell, Megan E; Schulte, Caroline; Barton, Paul	Szczepanik, Valerie	Kim, Joanne	RE [B5] - FinHub.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain discussion about and proposed edits to proposed SEC rulemaking. The email is deliberative because it reflects a proposal about analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking.	.msg	False
GC-LIT-0470-0277536	01/26/2024 06:10:40 PM				[B5] to CO_OGC (1.11.2024).finhub cmnts on EA.docx			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0277510	01/27/2024 06:36:21 PM	Mofakham, Parisa; Raimo, Tyler; Kiefer, Zachary; Hsia, Eugene; Hui, Vivian Sui Nam; Starr, Amy; Woo, Seung Won; Mitchell, Megan E; Schulte, Caroline; Barton, Paul	Szczepanik, Valerie	Kim, Joanne	RE [B5] - FinHub.msg	Exemption 5 (deliberative process privilege)	The withheld email and attachment are intra-agency and contain discussion about and proposed edits to proposed SEC rulemaking. The email is deliberative because it reflects a proposal about analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking.	.msg	False
GC-LIT-0470-0277511	01/27/2024 06:36:21 PM				Exchange Definition GS ATS Adopting Release to CO_OGC (1.11.2024).FinHub Cmnts to TM.docx		The withheld attachment consists of non-final draft rulemaking that reflects comments and edits from staff.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0782838	01/31/2024 09:51:36 AM	Hirsch, David L; Tenreiro, Jorge; Waxman, Daphna A.; Cooper, Abigail; Ingram, Jonathan; Mumford, Jay; Vilardo, Mark; Reedich, Michael; Schoeffler, Andrew; Dattner, Ian; Brilliant, Todd S.; Brady, Nicholas A.	Pauley, Kristin		Eth 2.0 (C-8950).msg	Exemption 4	The withheld email consists of a request for a meeting concerning the Ethereum 2.0 investigation. The request is from an attorney relating to an ENF matter.	.msg	False
GC-LIT-0470-0782839	01/31/2024 09:51:36 AM				[B4]--FOIA CONFIDENTIAL TREATMENT REQUESTED.pdf	Exemption 5 (attorney work-product doctrine)	The withheld attachment consists of correspondence provided by a third party, which sought FOIA confidential treatment of their submission.	.pdf	True
GC-LIT-0470-0448046	01/31/2024 07:35:49 PM	Ding, Yue; Miller, William; Druding, Kyle	Raimo, Tyler		FW [B5] - FinHub.msg		The withheld email and attachment are intra-agency and contain discussion about and proposed edits to proposed SEC rulemaking. The email is	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0448047	01/31/2024 07:35:49 PM				[B5] to CO_OGC (1.11.2024).FinHub Cmnts to TM.docx	Exemption 5 (deliberative process privilege)	<p>deliberative because it reflects a proposal about analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking.</p> <p>The withheld attachment consists of non-final draft rulemaking that reflects comments and edits from staff.</p>	.docx	True
GC-LIT-0470-0448130	01/31/2024 07:35:57 PM	Ding, Yue; Miller, William; Druding, Kyle	Raimo, Tyler		FW [B5] - FinHub.msg	Exemption 5 (deliberative process privilege)	<p>The withheld email and attachment are intra-agency and contain discussion about and proposed edits to proposed SEC rulemaking. The email is deliberative because it reflects a proposal about analysis relating to the proposed rulemaking. The thread is pre-decisional because no final decisions were made regarding the proposed rulemaking.</p> <p>The withheld attachment consists of non-final draft rulemaking that reflects comments and edits from staff.</p>	.msg	False
GC-LIT-0470-0448131	01/31/2024 07:35:57 PM				[B5] to CO_OGC (1.11.2024).FinHub Cmnts to TM.docx			.docx	True
GC-LIT-0470-0645357	02/01/2024 06:03:05 PM	Hirsch, David L; Tenreiro, Jorge	Pauley, Kristin	B5	Eth 2.0 (C-8950).msg		<p>The withheld email and attachments are intra-agency and consist of an overview of the status of the Ethereum 2.0 investigation as well as legal analysis prepared by ENF attorneys. The withheld records are deliberative because they reflect</p>	.msg	False
GC-LIT-0470-0645358	02/01/2024 06:03:05 PM				C-8950_Status Memo_1.29.24.docx			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0645359	02/01/2024 06:03:05 PM				2024.2.1 C-8950_Talking Points.docx	Exemption 5 (deliberative process privilege; attorney client privilege; attorney work-product doctrine) Exemption 7(C)	<p>discussion about what matters and issues the ENF attorneys proposed that Chair Gensler and ENF leadership should focus on, as well as possible next steps in the investigation. The withheld information is pre-decisional because a decision had not been made about the legal issues discussed in the records.</p> <p>Additionally, the withheld email and attachments were prepared by attorneys and contain legal analysis relating to an ENF investigation.</p> <p>This email was also sent by an attorney to provide legal advice to Chair Gensler and ENF leadership relating to an ENF matter.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>	.docx	True
GC-LIT-0470-0515348	02/01/2024 07:04:47 PM	Shillman, David S.; Juzenas, Eric	Kim, Molly		FW Spot ETH - security not security.msg	Exemption 5 (deliberative process privilege)	<p>The withheld email thread is intra-agency and concerns discussion of whether Ether is a security. The email thread is deliberative because it contains analysis of information provided by third parties, including from a draft submission, possible arguments about this issue, and questions about possible next steps. The thread is pre-decisional because no decision had been made regarding this issue.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0514381	02/02/2024 09:41:43 AM	Orr, Andrea	Bergoffen, Roni E		FW Spot ETH - security not security.msg	Exemption 5 (deliberative process privilege)	The withheld email thread is intra-agency and concerns discussion of whether Ether is a security. The email thread is deliberative because it contains analysis of information provided by third parties, including from a draft submission, possible arguments about this issue, and questions about possible next steps. The thread is pre-decisional because no decision had been made regarding this issue.	.msg	False
GC-LIT-0470-0297613	02/02/2024 02:16:34 PM	Ding, Yue	Orr, Andrea		FW Spot ETH - security not security.msg	Exemption 5 (deliberative process privilege)	The withheld email thread is intra-agency and concerns discussion of whether Ether is a security. The email thread is deliberative because it contains analysis of information provided by third parties, including from a draft submission, possible arguments about this issue, and questions about possible next steps. The thread is pre-decisional because no decision had been made regarding this issue.	.msg	False
GC-LIT-0470-0514393	02/05/2024 11:38:22 AM	ENF staff	ENF staff		B5		agency and concern a draft action memorandum relating to an ENF investigation. The email is deliberative because it contains a proposed	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0514394	02/05/2024 11:38:22 AM					Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine) Exemption 7(C)	<p>discussion topic. The email is pre-decisional because no final agency decisions or findings had been made concerning the issues discussed in the action memorandum.</p> <p>The withheld attachment is deliberative because it reflects staff's recommendations to the Commission concerning an ENF matter and the reasons for those recommendations. It is pre-decisional because it was prepared before a decision was made on the issues discussed in the attachment. It is also a non-final draft.</p> <p>The email thread and attachment are also from attorneys, and they provide legal advice to the Commissioners.</p> <p>The email thread and attachment also reflect legal analysis and strategy prepared by ENF attorneys in connection with anticipated and ongoing litigation.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>	.docx	True
GC-LIT-0470-0644720	02/05/2024 09:28:28 PM	Grewal, Gurbir; Wadhwa, Sanjay	Tenreiro, Jorge	Smolar, Gregory; Hirsch, David L	TPs.msg		The email and attachment are intra-agency records and contain analysis and recommendations in	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0644721	02/05/2024 09:28:28 PM				Talking Points for Feb 7 2024 Meeting - DRAFT.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>and contain analysis and recommendations in connection with Enforcement matters, including the Ethereum 2.0 investigation, to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation discussed in the records.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice for Commission staff.</p> <p>The withheld email and attachment were also sent by an attorney to provide legal advice relating to SEC actions.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466201	02/07/2024 05:10:33 PM	Starr, Amy; Szczepanik, Valerie	Ward Doran, Morgan		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466621	02/07/2024 05:20:15 PM	Szczepanik, Valerie; Ward Doran, Morgan	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466622	02/07/2024 05:20:40 PM	Szczepanik, Valerie; Ward Doran, Morgan	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0283292	02/07/2024 05:22:56 PM	Starr, Amy; Ward Doran, Morgan	Szczepanik, Valerie		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466199	02/07/2024 05:24:16 PM	Szczepanik, Valerie; Starr, Amy	Ward Doran, Morgan		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0465247	02/07/2024 05:25:54 PM	Szczepanik, Valerie; Ward Doran, Morgan	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466626	02/07/2024 05:26:27 PM	Ward Doran, Morgan; Szczepanik, Valerie	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0465246	02/07/2024 05:27:03 PM	Ward Doran, Morgan; Szczepanik, Valerie	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys and discussion about how to respond to that request. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0297201	02/07/2024 05:49:16 PM	Mayer, Amy; Brennan, Michael	Sylvester, Mark		Re Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and availability of staff to work on the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466628	02/07/2024 05:51:24 PM	Szczepanik, Valerie	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0514397	02/07/2024 05:55:55 PM	Mayer, Amy; Sylvester, Mark	Brennan, Michael		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and availability of staff to work on the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0465252	02/07/2024 05:57:46 PM	Szczepanik, Valerie; Ward Doran, Morgan	Starr, Amy		RE Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0283305	02/07/2024 09:37:08 PM	Ward Doran, Morgan]; Glennon, Liam (Contractor); Battle, Donald	Szczepanik, Valerie	Kersh, Megan (Contractor)	Re Chair's Urgent Request to ENF FinHub Assistance.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0468452	02/07/2024 11:09:15 PM	Szczepanik, Valerie	Glennon, Liam (Contractor)		RE Chair's Urgent Request to ENF FinHub Assistance.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0468453	02/08/2024 02:31:23 PM	Szczepanik, Valerie	Ward Doran, Morgan		FW Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0283308	02/08/2024 02:34:17 PM	Ward Doran, Morgan	Szczepanik, Valerie		Re Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0283309	02/08/2024 02:34:30 PM	Starr, Amy	Szczepanik, Valerie		Fwd Urgent Request.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p>	.msg	False
GC-LIT-0470-0466137	02/09/2024 01:24:51 PM	Szczepanik, Valerie	Ward Doran, Morgan		FW Urgent Request.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466138	02/09/2024 01:24:51 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email thread is inter-agency and consists of a request for attorney work product by attorneys, discussion about how to respond to that request, and analysis about the substance of the project. The thread is deliberative because it reflects a request, questions about how to put together and approach the requested analysis, and proposed sources, analysis, and formatting for the project. The thread is pre-decisional because there was no final decision about the results of the project.</p> <p>This email thread containing a request for legal work product was also sent by an attorney to provide legal advice to others in the Commission.</p> <p>The withheld email thread was prepared by an attorney and contains legal analysis relating to anticipated and ongoing SEC actions.</p> <p>The withheld attachment consists of the requested attorney work product compiled to provide legal advice to others in the Commission. It was prepared by attorneys and contains analysis relating to anticipated and ongoing SEC actions.</p>	.xlsx	True
GC-LIT-0470-0643418	02/14/2024 04:47:26 PM	Hirsch, David L; Tenreiro, Jorge	Juzenas, Eric	Gaw, Michael J.; Vorosmarti, Richard	ETH--Security or Not.msg	Exemption 5 (deliberative process privilege)	<p>The withheld email is an agency record and contains discussion about ETH. The email is deliberative because it contains proposed analysis, and it is pre-decisional because no decision had been made about the analysis and issue discussed in the email.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0787517	02/15/2024 11:47:44 AM	Tenreiro, Jorge; Grewal, Gurbir; Gerding, Erik; Wadhwa, Sanjay; Smolar, Gregory; Barbero, Megan	Tenreiro, Jorge		Crypto follow-up discussion.msg		The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document and also because it is a non-final draft.	.msg	False
GC-LIT-0470-0787518	02/15/2024 11:47:44 AM				PRIVILEGED AND CONFIDENTIAL.v7.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding. The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0514404	02/15/2024 03:59:11 PM	ENF staff	ENF staff	ENF staff	B5	Exemption 4 Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine) Exemption 7(C)	<p>The withheld email thread and attached are inter-agency records. The withheld email thread consists of discussion among ENF staff about an investigation. The email thread is deliberative because it contains discussion, analysis, and proposed answers to questions relating to issues in the investigation. The email thread is pre-decisional because no decisions had been made about the issues discussed in the thread.</p> <p>This email thread is between attorneys to provide legal advice to senior ENF staff regarding an issue in an investigation.</p> <p>The withheld emails were prepared by attorneys and contain legal analysis relating to an ongoing SEC investigation.</p> <p>One withheld attachment consists of a presentation provided by a third party, which sought FOIA confidential treatment of their submission, in connection with an ENF matter unrelated to the Ethereum 2.0 investigation.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466767	02/21/2024 02:46:52 PM	Gerding, Erik; Seaman, Michael P.; Vilardo, Mark; Reedich, Michael; Schoeffler, Andrew	Ingram, Jonathan		RE Check-in.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting with Chair Gensler. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document and also because it is a non-final draft.	.msg	False
GC-LIT-0470-0466768	02/21/2024 02:46:52 PM				PRIVILEGED AND CONFIDENTIAL.v6 (CF Comments)(2).docx		Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding. The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.	.docx	True
GC-LIT-0470-0466771	02/21/2024 03:09:27 PM	Grewal, Gurbir; Gerding, Erik; Wadhwa, Sanjay; Smolar, Gregory; Barbero, Megan	Tenreiro, Jorge		Crypto follow-up discussion.msg		The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466772	02/21/2024 03:09:27 PM				PRIVILEGED AND CONFIDENTIAL.v7.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	about the issues discussed in the document and also because it is a non-final draft. Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding. The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.	.docx	True
GC-LIT-0470-0790916	02/21/2024 03:09:27 PM	Grewal, Gurbir; Gerding, Erik; Wadhwa, Sanjay; Smolar, Gregory; Barbero, Megan	Tenreiro, Jorge		Crypto follow-up discussion.msg		The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document and also because it is a non-final draft.	.msg	False
GC-LIT-0470-0790917	02/21/2024 03:09:27 PM				PRIVILEGED AND CONFIDENTIAL.v7.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	about the issues discussed in the document and also because it is a non-final draft. Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding. The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0506545	02/21/2024 04:07:27 PM	Frayar, Corey	Tenreiro, Jorge		IPM.Note.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document.	.msg	False
GC-LIT-0470-0506546	02/21/2024 04:07:27 PM				PRIVILEGED AND CONFIDENTIAL.v7.docx		Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding. The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.	.docx	True
GC-LIT-0470-0466777	02/21/2024 04:52:45 PM	Grewal, Gurbir; Gerding, Erik; Barbero, Megan; Wadhwa, Sanjay	Tenreiro, Jorge		Doc.msg		The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0466778	02/21/2024 04:52:45 PM				PRIVILEGED AND CONFIDENTIAL - DRAFT.docx	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding.</p> <p>The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.</p>	.docx	True
GC-LIT-0470-0284249	02/21/2024 06:55:24 PM	Gensler, Gary	Frayer, Corey	Fischer, Amanda	Materials for Tomorrow's ENF Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding.</p> <p>The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.</p>	.msg	False
GC-LIT-0470-0284250	02/21/2024 06:55:24 PM				PRIVILEGED AND CONFIDENTIAL - DRAFT.docx			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0296343	02/22/2024 09:04:52 AM	Suthammanont, Victor; Barbero, Megan; Grewal, Gurbir	Fraye, Corey		FW Materials for Tomorrow's ENF Meeting.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld email and attachment are agency records and concern a possible topic at an upcoming staff meeting. The attachment to the email consists of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachment is pre-decisional because no decision had been made about the issues discussed in the document.	.msg	False
GC-LIT-0470-0296344	02/22/2024 09:04:52 AM				PRIVILEGED AND CONFIDENTIAL - DRAFT.docx		Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding. The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.	.docx	True
GC-LIT-0470-0645414	03/05/2024 01:42:04 PM	Tenreiro, Jorge; Hirsch, David L	Dickman, Joshua	Kim, Paul E.; Krasner, Jennie; Maher, Daniel; Berger, Yael	B5		The withheld email thread and attachments are agency records. The email thread contains discussion among ENF staff about a draft action memoranda concerning an ENF matter to be submitted to the Commission. The email thread is deliberative because it reflects discussion, comments, and proposed edits relating to the draft action memoranda. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the draft	.msg	False
GC-LIT-0470-0645415	03/05/2024 01:42:04 PM				B5			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0645416	03/05/2024 01:42:04 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>memoranda.</p> <p>The attachments to the email consist of a draft action memoranda to be submitted to the Commission. The withheld attachments are deliberative because they reflect comments and proposed edits and pre-decisional because the draft was non-final.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an ENF matter.</p> <p>The withheld records also contain legal advice relating to issues in an ENF matter to be provided to the Commission.</p>	.docx	True
GC-LIT-0470-0642888	03/05/2024 02:23:10 PM	Hirsch, David L	Tenreiro, Jorge		B5		The withheld email thread and attachments are agency records. The email thread contains discussion among ENF staff about a draft action memoranda concerning an ENF matter to be submitted to the Commission. The email thread is	.msg	False
GC-LIT-0470-0642889	03/05/2024 02:23:10 PM				B5			.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0642890	03/05/2024 02:23:10 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>deliberative because it reflects discussion, comments, and proposed edits relating to the draft action memoranda. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the draft memoranda.</p> <p>The attachments to the email consist of a draft action memoranda to be submitted to the Commission. The withheld attachments are deliberative because they reflect comments and proposed edits and pre-decisional because the draft was non-final.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an ENF matter.</p> <p>The withheld records also contain legal advice relating to issues in an ENF matter to be provided to the Commission.</p>	.docx	True
GC-LIT-0470-0789522	03/19/2024 10:00:22 PM	Padgett, Gregory C.; Grewal, Gurbir; Wadhwa, Sanjay; Johnson, Marc; Smolar, Gregory	Padgett, Gregory C.		Weekly Chair Meeting - Parallel Invite.msg		<p>The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0789523	03/19/2024 10:00:22 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True
GC-LIT-0470-0790809	03/20/2024 11:35:31 AM	Grewal, Gurbir; Wadhwa, Sanjay; Johnson, Marc; Smolar, Gregory	Padgett, Gregory C.		Weekly Chair Meeting - Parallel Invite.msg		<p>The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0790810	03/20/2024 11:35:31 AM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.</p> <p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True
GC-LIT-0470-0803892	03/21/2024 03:04:18 PM	Grewal, Gurbir; Wadhwa, Sanjay	Smolar, Gregory	Johnson, Marc; Padgett, Gregory C.	Weekly Chair Meeting - Parallel Invite.msg		The withheld email and attachment are intra-agency records. The withheld email consists of	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0803894	03/21/2024 03:04:18 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.</p> <p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True
GC-LIT-0470-0789444	03/21/2024 03:04:25 PM	Smolar, Gregory; Grewal, Gurbir; Wadhwa, Sanjay	Smolar, Gregory	Johnson, Marc; Padgett, Gregory C.	Weekly Chair Meeting - Parallel Invite.msg		<p>The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0789446	03/21/2024 03:04:25 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.</p> <p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True
GC-LIT-0470-0801801	03/21/2024 03:04:26 PM	Smolar, Gregory; Grewal, Gurbir; Wadhwa, Sanjay	Smolar, Gregory	Johnson, Marc; Padgett, Gregory C.	Weekly Chair Meeting - Parallel Invite.msg		<p>The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0801803	03/21/2024 03:04:26 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.</p> <p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True
GC-LIT-0470-0297661	03/21/2024 03:15:43 PM	Frayner, Corey	Levine, Steven (ES)		More Coverage.msg	Exemption 5 (deliberative process privilege)	<p>The withheld email is intra-agency and reflects staff comments about an article published about the Ethereum 2.0 investigation. The email is deliberative because it reflects discussion about possible SEC policy, and it is pre-decisional because no decisions had been made regarding that policy.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0788415	03/31/2024 03:17:08 PM	Grewal, Gurbir; Wadhwa, Sanjay; Padgett, Gregory C.; Smolar, Gregory	Reinhart, Stephanie L		Weekly Chair meeting - parallel.msg		The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.	.msg	False
GC-LIT-0470-0788416	03/31/2024 03:17:08 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0792196	03/31/2024 03:17:14 PM	Reinhart, Stephanie L; Grewal, Gurbir; Wadhwa, Sanjay; Padgett, Gregory C.; Smolar, Gregory	Reinhart, Stephanie L		Weekly Chair meeting - parallel.msg		The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.	.msg	False
GC-LIT-0470-0792197	03/31/2024 03:17:14 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document.</p> <p>The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters.</p> <p>The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0789161	04/01/2024 10:11:01 AM	Reinhart, Stephanie L; Grewal, Gurbir; Wadhwa, Sanjay; Padgett, Gregory C.; Smolar, Gregory	Reinhart, Stephanie L		Weekly Chair meeting - parallel.msg		The withheld email and attachment are intra-agency records. The withheld email consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting with the Chair. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.	.msg	False
GC-LIT-0470-0789162	04/01/2024 10:11:01 AM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The withheld attachment consists of a list of ENF matters including matter descriptions, legal analysis, and proposals for next steps. The attachment is deliberative because it contains analysis, recommendations, and proposals for action, and it is pre-decisional because decisions had not been made about the issues discussed in the document. The email and attachment were prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF and Commission matters. The email and attachment were prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.	.docx	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0800295	04/01/2024 07:07:02 PM	Reinhart, Stephanie L; Grewal, Gurbir; Wadhwa, Sanjay	Reinhart, Stephanie L		Parallel C. Lizárraga biweekly.msg	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>The withheld email is an intra-agency record and consists of discussion between ENF attorneys about topics to discuss at an upcoming meeting. The email thread is deliberative because it contains analysis of various ENF and Commission matters and possible questions and issues to discuss at the upcoming meeting. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the email.</p> <p>The thread was prepared by attorneys to provide legal advice to the Chair and Commissioners relating to ENF investigations and SEC litigations.</p> <p>The withheld thread was prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters.</p>	.msg	False
GC-LIT-0470-0297691	04/08/2024 02:54:47 PM	Wachter, Jessica	Henderson, Jill		Tomorrow's meetings.msg			.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0297695	04/08/2024 02:54:47 PM				B5	Exemption 5 (deliberative process privilege)	<p>The withheld email is an intra-agency record about an upcoming meeting with SEC staff. The email is deliberative because it reflects possible subjects for the upcoming meeting as well as explanation of materials and possible rules under Commission consideration. The email is pre-decisional because a decision had not been made about issues listed in the email.</p> <p>The withheld attachment is a public document, but providing the document would reveal information about the subject matter of staff discussion in the development of agency policy.</p>	.pdf	True
GC-LIT-0470-0514543	04/25/2024 03:50:30 PM	Juzenas, Eric	Banaei, Salman		B5	Exemption 5 (deliberative process privilege)	<p>The withheld email thread is an intra-agency record and consists of discussion between attorneys about digital assets policy. The email thread is deliberative because it contains analysis of securities law and regulations, questions, and proposed action items relating to digital assets policy and possible activity by a third party. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the thread.</p> <p>The withheld attachment is a public document, but providing the document would reveal information about the subject matter of staff attorneys' analysis in the development of agency policy.</p>	.msg	False
GC-LIT-0470-0514547	04/25/2024 03:50:30 PM				B5			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0514548	04/25/2024 07:41:06 PM	Waxman, Daphna A.; Sylvester, Mark; Pauley, Kristin; Wasserman, Samuel	Mayer, Amy		B5		The withheld email thread is an intra-agency record and consists of discussion between ENF attorneys about a draft action memorandum to be submitted to the Commission in connection with an ENF matter. The email thread is deliberative because it contains questions, legal analysis, research, and comments relating to issues in the action memorandum. The thread is pre-decisional because decisions had not been made in relation to the issues discussed in the thread.	.msg	False
GC-LIT-0470-0514552	04/25/2024 07:41:06 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	The thread was prepared by attorneys to provide legal advice relating to an ENF case that the Commission was considering bringing. The withheld thread was prepared ENF attorneys in anticipation of litigation and contains legal analysis relating to an ENF matter. The withheld attachment is a public document, but providing the document would reveal information about the subject matter of staff attorneys' analysis in an ENF matter. A staff attorney also excerpted language from the attachment, which reflects the attorney's mental impressions.	.pdf	True
GC-LIT-0470-0653044	05/31/2024 10:10:51 AM	Hitchins, Kathleen M	Goody, Elizabeth		FW Talking points.msg		The withheld email thread and attachment are intra-agency records and relate to a request that	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0653045	05/31/2024 10:10:51 AM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work-product doctrine)	<p>ENF staff provide talking points to support oral argument in an ENF litigation. The emails are deliberative because they reflect discussion about the type of analysis sought and comments on the draft talking points. The emails are non-final because no decisions had been made about the draft talking points.</p> <p>The withheld attachment consists of draft talking points and analysis for an oral argument in an ENF litigation. The attachment is deliberative because it contains proposed questions, answers, and analysis. The attachment is a non-final draft.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice for other ENF staff.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal analysis relating to an SEC action.</p>	.docx	True
GC-LIT-0470-0811120	07/19/2024 11:54:54 AM	Tenreiro, Jorge	Pauley, Kristin		C-8950 Draft Closing Narrative.msg		The withheld email and attached case closing	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0811121	07/19/2024 11:54:54 AM				B5	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>recommendation are intra-agency records relating to the Ethereum 2.0 investigation that detail a recommendation for closing the investigation. The records are deliberative because they reflect analysis and a recommendation by staff about an investigation. The withheld information is pre-decisional because decisions had not been made about issues relating to the investigation discussed in the record.</p> <p>The withheld attachment is also a non-final draft case closing recommendation.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in connection with anticipated litigation and contains legal analysis relating to the Ethereum 2.0 investigation.</p>	.docx	True
GC-LIT-0470-0809076	07/19/2024 04:10:12 PM	Pauley, Kristin	Tenreiro, Jorge		Closing narrative.msg		The withheld email and attached case closing	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0809077	07/19/2024 04:10:12 PM				B5	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld email and attached case closing recommendation are intra-agency records relating to the Ethereum 2.0 investigation that detail a recommendation for closing the investigation. The records are deliberative because they reflect analysis and a recommendation by staff about an investigation. The withheld information is pre-decisional because decisions had not been made about issues relating to the investigation discussed in the record. Additionally, the withheld email contains a question relating to the ENF investigation.</p> <p>The withheld attachment is also a non-final draft case closing recommendation that reflects proposed edits.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in connection with anticipated litigation and contains legal analysis relating to the Ethereum 2.0 investigation.</p>	.docx	True
GC-LIT-0470-0812872	07/19/2024 05:40:41 PM	Hill, Angela R.; Clay, Felisha K.	Pauley, Kristin	Tenreiro, Jorge	Ethereum 2.0 (C-8950) Case Closing .msg		The withheld email and attached case closing recommendation are intra-agency records relating	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0812873	07/19/2024 05:40:41 PM				B5	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	to the Ethereum 2.0 investigation that detail a recommendation for closing the investigation. The records are deliberative because they reflect analysis and a recommendation by staff about an investigation. The withheld information is pre-decisional because decisions had not been made about issues relating to the investigation discussed in the record. Additionally, the withheld records were prepared by ENF attorneys in connection with anticipated litigation and contains legal analysis relating to the Ethereum 2.0 investigation.	.docx	True
GC-LIT-0470-0516056	08/29/2024 10:35:21 AM	Sylvester, Mark	Pauley, Kristin		B4; B5		The withheld email thread and attachment are intra-agency and reflect a request from one ENF attorney to another ENF attorney for analysis from	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0516057	08/29/2024 10:35:21 AM				B4; B5	Exemption 4 Exemption 5 (attorney-client privilege; attorney work product doctrine)	<p>attorney to another ENF attorney for analysis from a submission provided by a third party.</p> <p>The withheld email also contains an excerpt selected by an ENF attorney from a submission provided by a third party, which sought FOIA confidential treatment of their submission in connection with an ENF matter.</p> <p>The withheld attachment consists of a submission provided by a third party, which sought FOIA confidential treatment of their submission in connection with an ENF matter.</p> <p>The emails in the thread are sent by attorneys to provide advice relating to ENF matters.</p> <p>The emails and analysis therein were prepared and compiled by ENF attorneys in anticipation of litigation and contain legal analysis relating to ENF matters.</p>	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0303355	08/29/2024 10:36:06 AM	Pauley, Kristin	Sylvester, Mark		B4; B5	Exemption 4 Exemption 5 (attorney-client privilege; attorney work product doctrine)	<p>The withheld email thread is intra-agency and reflects a request from one ENF attorney to another ENF attorney for analysis from a submission provided by a third party.</p> <p>The withheld email also contains an excerpt selected by an ENF attorney from a submission provided by a third party, which sought FOIA confidential treatment of their submission in connection with an ENF matter.</p> <p>The emails in the thread are sent by attorneys to provide advice relating to ENF matters.</p> <p>The emails and analysis therein were prepared and compiled by ENF attorneys in anticipation of litigation and contain legal analysis relating to ENF matters.</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0813983	08/30/2024 11:40:52 AM	Smolar, Gregory; ENF Front Office Approvals	Krasner, Jennie	Tenreiro, Jorge; Kim, Paul E.; Hitchins, Kathleen M; Krasner, Jennie; Dickman, Joshua; Bohmann, Nicholas; Berger, Yael; Battle, Donald; Maher, Daniel; Nasse, David	B5	Exemption 4	<p>The withheld email thread is an intra-agency record about an upcoming meeting with a third party in connection with a non-public ENF investigation. The email thread also contains an investigation overview and recommendations. The email is deliberative because it reflects analysis and recommendations about an ENF investigation and is pre-decisional because a decision had not been made about issues relating to the investigation.</p> <p>The email thread contains emails prepared by attorneys and contains legal analysis and advice for the ENF Front Office relating to an SEC investigation.</p> <p>Three withheld attachments consist of submissions provided by third parties, which sought FOIA confidential treatment of their submissions in connection with an ENF matter.</p>	.msg	False
GC-LIT-0470-0813984	08/30/2024 11:40:52 AM				B4; B5		<p>The remaining attachments consist of analysis, possible questions, and potential next steps in the investigation prepared by ENF attorneys.</p>	.pdf	True
GC-LIT-0470-0813985	08/30/2024 11:40:52 AM				B4; B5			.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0813986	08/30/2024 11:40:52 AM				B4; B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work product doctrine) Exemption 7(C)	The email thread and certain attachments were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an ENF matter unrelated to the Ethereum 2.0 investigation. ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.	.pdf	True
GC-LIT-0470-0516108	09/05/2024 06:19:35 PM	Grewal, Gurbir	Keating, Colleen	Wadhwa, Sanjay; ENF Front Office Counsel; ENF Front Office Approvals	Approvals Box (Sept. 5, 2024).msg		The withheld email is an intra-agency record that details seven matters submitted for ENF Front Office approval. The email contains overviews of ENF-related matters, requests to the Front Office, and comments from counsel. The email is deliberative because it reflects analysis, requests, and recommendations about ENF-related matters.	.msg	False
GC-LIT-0470-0516110	09/05/2024 06:19:35 PM				P-2395 - Robinhood Crypto, LLC - Wells Submission - [no pwd].pdf		The email is pre-decisional because decisions had not been made about the issues relating to the matters submitted for ENF Front Office Approval. The email contains information prepared by attorneys and contains legal analysis and advice for	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0516114	09/05/2024 06:19:35 PM	Keating, Colleen	Wadhwa, Sanjay	Grewal, Gurbir; ENF Front Office Counsel; ENF Front Office Approvals	RE Approvals Box (Jan. 19, 2024) (145 KB).msg	Exemption 4 Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work product doctrine) Exemption 7(C)	<p>the ENF Front Office relating to ENF matters.</p> <p>An attachment to the email consists of a submission provided by a third party, which sought FOIA confidential treatment of their submissions in connection with an ENF matter.</p> <p>The email thread was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to ENF matters other than the Ethereum 2.0 investigation.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>	.msg	True
GC-LIT-0470-0810064	09/26/2024 06:15:33 PM	SEC ENF Staff	Tenreiro, Jorge	SEC ENF Staff	B5		The withheld parent email and five attachments to	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0810067	09/26/2024 06:15:33 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work product doctrine) Exemption 7(C)	<p>that email are intra-agency records. The withheld parent email is deliberative because it consists of a question and analysis by ENF staff in connection with a project related to ENF investigations. The withheld email is pre-decisional because no final agency decisions had been made about the legal issues discussed in the email.</p> <p>The withheld attachments consist of requests for Commission action and associated memoranda. They are deliberative because they reflect staff's recommendations to the Commission concerning ENF matters and the reasons for those recommendations. These attachments are pre-decisional because they were prepared before final agency decisions were made on the issues discussed in the attachments.</p> <p>The attachments are also from attorneys, and they provide legal advice.</p> <p>The email and attachments also reflect legal analysis and strategy prepared by ENF attorneys in connection with anticipated and ongoing litigation.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>	.pdf	True
GC-LIT-0470-0814600	10/08/2024 08:17:39 PM	Tenreiro, Jorge	SEC ENF Staff		B5		The withheld email thread is an intra-agency record about an upcoming meeting with a third	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0814601	10/08/2024 08:17:39 PM				B4; B5		party in connection with a non-public ENF investigation. The email thread also contains an investigation overview and recommendations. The email is deliberative because it reflects analysis and recommendations about an ENF investigation and is pre-decisional because a decision had not been made about the issues relating to the investigation.	.pdf	True
							<p>The email thread contains emails prepared by attorneys and contains legal analysis and advice for the ENF Front Office relating to an SEC investigation.</p> <p>Three withheld attachments consist of submissions provided by third parties, which sought FOIA confidential treatment of their submissions in connection with an ENF matter.</p> <p>The remaining attachments consist of analysis, possible questions, and potential next steps in the investigation.</p>		
GC-LIT-0470-0814602	10/08/2024 08:17:39 PM				B4; B5	<p>Exemption 4</p> <p>Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work product doctrine)</p> <p>Exemption 7(C)</p>	<p>The email thread and certain attachments were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to an ENF matter unrelated to the Ethereum 2.0 investigation.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>	.pdf	True

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0810306	10/08/2024 09:49:53 PM	Augustini, Hope Hall; Ingram, Jonathan; Bates, Hughes	Tenreiro, Jorge		B5	Exemption 4 Exemption 5 (deliberative process privilege; attorney work product doctrine)	<p>The withheld email thread is an intra-agency record reflecting discussion about a non-public ENF investigation. The email thread is deliberative because it reflects analysis and questions about an ENF investigation and is pre-decisional because a decision had not been made about the issues relating to the investigation.</p> <p>The email thread was prepared by SEC attorneys in anticipation of litigation and contains legal analysis relating to an ENF investigation.</p> <p>The withheld attachment consists of a submission provided by a third party, which sought FOIA confidential treatment of their submission in connection with an ENF matter unrelated to the Ethereum 2.0 investigation.</p>	.msg	False
GC-LIT-0470-0566495	12/30/2024 09:52:32 PM	Pauley, Kristin; Sylvester, Mark; Ney, William B	Tenreiro, Jorge	Gottlieb, Adam; Cooper, Abigail; Reynolds, Veronica; Wasserman, Samuel; Cave, D. Mark	RE OS Submission.msg		<p>The withheld email thread is an intra-agency record reflecting discussion about an action memorandum to be submitted to the Commission. The email thread is deliberative because it reflects analysis and questions about the process of drafting and submitting the action memorandum, like what to include in the memorandum and is</p>	.msg	False

Doc ID	Family Date	Email To	Email From	Email CC	File Name / Subject	FOIA Exemption(s)/ Privilege Tags	Basis for Withholding	File Extension	Is Attachment
GC-LIT-0470-0566496	12/30/2024 09:52:32 PM				B5	Exemption 5 (deliberative process privilege; attorney-client privilege; attorney work product doctrine)	<p>make what to include in the memorandum, and is pre-decisional because a decision had not been made about the issues relating to the submission of the action memorandum.</p> <p>The withheld attachment consists of an action memorandum for the Commission. The withheld attachment is deliberative because it reflects staff's recommendations to the Commission concerning an ENF matter and the reasons for those recommendations. It is pre-decisional because it was prepared before a decision was made on the issues discussed in the attachment.</p> <p>The attachment is also from attorneys, and it provides legal advice to the Commissioners.</p> <p>The attachment also reflects legal analysis and strategy prepared by ENF attorneys in connection with anticipated and ongoing litigation.</p>	.pdf	True

FOR DISCUSSION PURPOSES ONLY

April 11, 2025

**Categorical Preliminary *Vaughn* Index for the Securities and Exchange Commission's Withholdings in Part from the 4/11/2025 Release of Records
Responsive to Narrowed Subpart 3¹ of FOIA Request No. 23-03269-FOIA in *History Associates, Inc. v. SEC*, 24-cv-1858**

	FOIA Exemption	Description of Withheld Information/Document(s)	Basis for Withholding
1.	Exemption 4	Confidential, non-public information provided to SEC staff by third parties with a request for confidential treatment, as well as non-public articles and other sources published by third parties, were withheld.	Should Plaintiff seek the release of information submitted to the SEC that may be protected under Exemption 4, the SEC will move forward with the confidential treatment process pursuant to the SEC's FOIA regulations.
2.	Exemption 5 (deliberative process privilege)	Internal discussions, analyses, questions, comments, edits, and proposals for possible next steps and actions from SEC staff concerning ENF matters and other SEC matters were withheld. Draft language and records were also withheld.	<p>The withheld information is contained in intra-agency records. The withheld information is deliberative because it reflects consultative discussion about possible issues to focus on relating to SEC matters, the status of matters, potential next steps and approaches, and how to analyze and address certain issues relating to SEC matters. The withheld information is deliberative because no decisions had been made about the issues discussed in the records.</p> <p>Draft documents are deliberative because they are non-final drafts that contain proposed edits and staff comments, and they are pre-decisional because they were not adopted as the final versions.</p>
3.	Exemption 5 (attorney-client privilege)	Analyses, comments, and proposals from attorneys to the Chair, Commissioners, and other SEC leadership were withheld.	The withheld information reflects analysis from attorneys to provide legal advice to others within the agency relating to SEC matters.
4.	Exemption 5 (attorney work-product doctrine)	Legal analyses, comments, and proposals from attorneys were withheld.	The withheld information was prepared by attorneys and consists of legal analysis and work product relating to anticipated and ongoing SEC actions.

¹ Narrowed subpart 3 seeks all documents and communications sent to or by all former SEC Commissioners, their counsels, the Director of the Division of Enforcement, the Director of the Crypto Asset and Cyber Unit, the Director of the Office of the Strategic Hub for Innovation and Financial Technology, and the Director of the Division of Corporation Finance that discuss or analyze whether Ether (or "ETH" or "Ethereum") is a security or whether transactions in Ether (or "ETH" or "Ethereum") are securities transactions, and that contain the words "proof-of-stake" (or "PoS," "the Merge," or "EIP-3675").

	FOIA Exemption	Description of Withheld Information/Document(s)	Basis for Withholding
5.	Exemption 6	<p>The contact information of SEC and other agency's staff, as well as personal information about SEC staff, was withheld.</p> <p>The names, contact information, and identifying information of certain third parties who provided information to the SEC were withheld.</p>	<p>Agency staff have a privacy interest in their contact information and information about their personal lives, and there is no public interest in knowing their contact information or information about their personal lives.</p> <p>Third parties who provide information to the SEC have a privacy interest in their names, contact information, and identifying information, and there is no public interest in knowing this information.</p>
6.	Exemption 7(C)	The names of certain SEC Enforcement staff were withheld.	ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.
7.	Exemption 7(E)	The links to internal SEC folders and websites were withheld.	The links to internal SEC folders and websites reflect details about the SEC's information technology system used in connection with SEC law enforcement efforts, and disclosure of that information could risk circumvention of the law.

FOR DISCUSSION PURPOSES ONLY

April 11, 2025

**Preliminary *Vaughn* Index for the Securities and Exchange Commission's Withholdings from the 4/11/2025 Release of Records Responsive to
Narrowed Subpart 4¹ of FOIA Request No. 23-03269-FOIA in *History Associates, Inc. v. SEC*, 24-cv-1858**

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
1.	January 16 and 17, 2024	Kristin Pauley, Jorge Tenreiro, David Hirsch	<p>An email thread between SEC staff was withheld.</p> <p>The names of certain Enforcement ("ENF") staff and SEC staff contact information were also withheld.</p>	<p>Exemption 5 (deliberative process privilege; attorney work product doctrine)</p> <p>Exemption 6</p> <p>Exemption 7(C)</p>	<p>The email thread is intra-agency and contains discussion about potential staffing of a new SEC employee, the status of certain ENF matters, and possible next steps in the Ethereum 2.0 investigation. The withheld information is pre-decisional because decisions had not been made about staffing or about next steps in the ENF matters.</p> <p>Additionally, the withheld thread was prepared by ENF attorneys in anticipation of litigation and contains analysis and a proposal relating to an ENF matter.</p> <p>SEC staff have a privacy interest in their contact information, and there is no public interest in knowing their contact information.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p>

¹ Narrowed subpart 4 seeks all documents or communications sent to or by all former SEC Commissioners, their counsels, the Director of the Division of Enforcement, and the Director of the Crypto Asset and Cyber Unit concerning the decision to close the ETH 2.0 investigation.

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
2.	February 6, 2024	Jorge Tenreiro, Gurbir Grewal, Sanjay Wadhwa, Gregory Smolar, David Hirsch	An email from Jorge Tenreiro and the attachment to that email were withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege)	<p>The email and attachment are intra-agency records and contain analysis and recommendations in connection with Enforcement matters, including the Ethereum 2.0 investigation, to potentially be discussed in an upcoming meeting. The withheld information is pre-decisional because decisions had not been made about the legal issues relating to the investigation discussed in the records.</p> <p>Additionally, the withheld email and attachment were prepared by ENF attorneys in anticipation of litigation and contain legal analysis relating to Enforcement matters.</p> <p>The withheld email and attachment were prepared by attorneys and contain legal advice relating to SEC actions for the ENF Director.</p>
3.	February 13, 2024	Kristin Pauley, David Hirsch, Jorge Tenreiro	<p>An email from Kristin Pauley and the three attachments to that email were withheld.</p> <p>The contact information of SEC staff was also withheld.</p>	<p>Exemption 5 (deliberative process privilege; attorney work product doctrine)</p> <p>Exemption 6</p>	<p>The email and attachments are intra-agency records and contain analysis and recommendations in connection with the Ethereum 2.0 investigation. The withheld information is pre-decisional because decisions had not been made about the issues relating to the investigation discussed in the records.</p> <p>Additionally, the withheld email and attachments were prepared by ENF attorneys in anticipation of litigation and contain discussion about the status of the matter, legal analysis, and proposed next steps relating to the Ethereum 2.0 investigation.</p> <p>SEC staff have a privacy interest in their contact information, and there is no public interest in knowing their contact information.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
4.	February 14, 18, 20, 2024	Jorge Tenreiro, Michael Seaman, Jonathan Ingram, Erik Gerding, Gurbir Grewal	An email thread among SEC staff was withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege) Exemption 6	<p>The email thread is an intra-agency record and contains discussion and questions about a memo and law firm analysis concerning Ether as well as analysis about possible effects on SEC ENF actions. The email thread is deliberative because it reflects discussion about what legal issues SEC staff, including Chair Gensler, should focus on. The withheld information is pre-decisional because a decision had not been made about the legal issues discussed in the email.</p> <p>Additionally, the withheld email thread was prepared by attorneys in anticipation of litigation and contains legal analysis relating to the investigation.</p> <p>The withheld email thread was prepared by attorneys and contains legal advice relating to SEC actions to be provided to Chair Gensler.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
5.	February 26, 28, 2024 April 22, 2024	Jorge Tenreiro, Gurbir Grewal, Sanjay Wadhwa, Gregory Smolar	Portions of an email thread, as well as the attachments to the thread, were withheld. The email addresses of SEC staff were also withheld.	Exemption 5 (deliberative process privilege; attorney client privilege; attorney work product doctrine) Exemption 6	The email and attachments are intra-agency records and contain analysis and recommendations about possible approaches on particular legal issues relating to Ether. The withheld information is pre-decisional because a decision had not been made about the legal issues relating to Ether discussed in the email and attachment. Additionally, the withheld email and attachments were prepared by an ENF attorney in anticipation of litigation and contain legal analysis relating to Enforcement investigations and policy. This email was also sent by an attorney to provide legal advice to the ENF Director relating to SEC actions and policy. SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information. Portions of the email were released.

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
6.	February 27, 2024	Luke Pazicky, Gurbir Grewal, Sanjay Wadhwa, Marc Johnson, Gregory Smolar	A calendar invitation for the Weekly Chair Meeting and its six attachments were withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege)	<p>The withheld calendar invitation and attachments are intra-agency records that reflect analysis about various Enforcement matters to possibly be discussed in an upcoming SEC staff meeting with Chair Gensler. The records are deliberative because they reflect discussion about what legal issues Chair Gensler and SEC staff should focus on, analysis of those issues, and staff recommendations. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the calendar invitation and attachments.</p> <p>Additionally, the withheld records were prepared and selected by ENF attorneys in anticipation of litigation and contain analysis relating to pending and possible SEC actions.</p> <p>Certain of the withheld records were also prepared by attorneys to provide legal advice relating to pending and possible SEC actions and SEC policy.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
7.	March 20, 2024	Gregory Smolar, Gurbir Grewal, Sanjay Wadhwa, Marc Johnson, Gregory Padgett	A calendar invitation for the Weekly Chair Meeting and its two attachments were withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine)	<p>The withheld calendar invitation and attachments are intra-agency records that reflect analysis about various subjects, including Enforcement matters and rulemaking, in an upcoming SEC staff meeting with Chair Gensler. The records are deliberative because they reflect discussion about what issues Chair Gensler and SEC staff should focus on, analysis of those issues, and staff recommendations. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the calendar invitation and attachments.</p> <p>Additionally, the withheld records were prepared and selected by ENF attorneys in anticipation of litigation and contain legal analysis and status updates relating to pending SEC actions.</p> <p>One withheld attachment is a public document, but providing the document would reveal information about the staff attorney's proposal about what Chair Gensler should focus on.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
8.	March 20, 2024	Gregory Smolar, Gurbir Grewal, Sanjay Wadhwa, Marc Johnson, Gregory Padgett	A calendar invitation for the Weekly Chair Meeting and its three attachments were withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege)	<p>The withheld calendar invitation and attachments are intra-agency records that reflect analysis about various matters, including Enforcement matters and rulemaking, in an upcoming SEC staff meeting with Chair Gensler. The records are deliberative because they reflect discussion about what issues Chair Gensler and SEC staff should focus on, analysis of those issues, and staff recommendations. The withheld information is pre-decisional because decisions had not been made about the issues relating to the investigation discussed in the calendar invitation and attachments.</p> <p>Additionally, the withheld records were prepared and selected by ENF attorneys in anticipation of litigation and contain legal analysis relating to pending SEC matters.</p> <p>One withheld attachment was prepared by an attorney to provide legal advice relating to a pending SEC action.</p> <p>One withheld attachment is a public document, but providing the document would reveal information about the staff attorney's proposal about what Chair Gensler should focus on and would provide information about legal advice an SEC attorney was providing.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
9.	March 25, 2024	Gregory Smolar, Gurbir Grewal, Sanjay Wadhwa, Marc Johnson, Gregory Padgett	A calendar invitation for the Weekly Chair Meeting and its three attachments were withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege)	<p>The withheld calendar invitation and attachments are intra-agency records that reflect analysis about various subjects, including Enforcement matters and rulemaking, in an upcoming SEC staff meeting with Chair Gensler. The records are deliberative because they reflect discussion about what legal issues Chair Gensler and SEC staff should focus on, analysis of those issues, and staff recommendations. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the calendar invitation and attachments.</p> <p>Additionally, the withheld records were prepared and selected by ENF attorneys in anticipation of litigation and contain legal analysis relating to pending SEC matters.</p> <p>One withheld attachment was prepared by an attorney to provide legal advice relating to a pending SEC action.</p> <p>One withheld attachment is a public document, but providing the document would reveal information about the staff attorney's proposal about what Chair Gensler should focus on and would provide information about legal advice an SEC attorney was providing.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
10.	April 17, 2024	Jorge Tenreiro, Gregory Smolar, Gurbir Grewal, Sanjay Wadhwa	Portions of an email thread and the email addresses of SEC staff were withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege) Exemption 6	<p>The email is an intra-agency record and reflects discussion about issues relating to ETH. The withheld information is deliberative because it reflects consultation about issues relating to ETH, and it is pre-decisional because a decision had not been made about the legal issues relating to ETH discussed in the email.</p> <p>Additionally, the withheld email was prepared by an ENF attorney in anticipation of litigation and contains legal analysis relating to ETH.</p> <p>This email was also sent by an attorney and reflects legal advice provided to Chair Gensler relating to, among other things, the Ethereum 2.0 investigation.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>Portions of the email were released.</p>
11.	April 18, 2024	Gregory Padgett, Gurbir Grewal, Sanjay Wadhwa, Marc Johnson, Gregory Smolar	A calendar invitation for the Weekly Chair Meeting and its three attachments were withheld. An updated version of the calendar invitation with an additional attachment were also withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine)	<p>The withheld calendar invitation and attachments are intra-agency records that reflect analysis about various subjects, including Enforcement matters, in an upcoming SEC staff meeting with Chair Gensler. The records are deliberative because they reflect discussion about legal issues Chair Gensler and SEC staff should focus on and analysis of those issues. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the calendar invitation and attachments.</p> <p>Additionally, the withheld records were prepared and selected by ENF attorneys in anticipation of litigation and contain legal analysis relating to pending and possible SEC actions.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
12.	May 10, 2024	Jorge Tenreiro, Gurbir Grewal, Sanjay Wadhwa, Gregory Smolar	<p>An email from Jorge Tenreiro and an attachment to that email were withheld.</p> <p>The email addresses of SEC staff were also withheld.</p>	<p>Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege)</p> <p>Exemption 6</p>	<p>The email and attachment are intra-agency records and contain discussion and recommendations about matters and issues that Enforcement staff proposed that SEC Enforcement leadership should focus on, including about the Ethereum 2.0 investigation. The withheld information is pre-decisional because a decision had not been made about the matters and issues discussed in the email.</p> <p>Additionally, the withheld email was prepared by an ENF attorney in anticipation of litigation and contains legal analysis relating to Enforcement matters.</p> <p>This email was also sent by an attorney to provide legal advice to the ENF Director relating to, among other things, the Ethereum 2.0 investigation.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>Portions of the email were released.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
13.	May 13, 2024	SEC Enforcement staff	Portions of email threads between SEC staff were withheld. The contact information of SEC staff was also withheld. The names of certain Enforcement staff were also withheld.	Exemption 5 (deliberative process privilege; attorney work product doctrine) Exemption 6 Exemption 7(C)	<p>The email thread is intra-agency and contains discussion about potential staffing of three Enforcement matters as well as the statuses of and next steps in Enforcement matters. The withheld information is pre-decisional because decisions had not been made about staffing or about the next steps in the matters.</p> <p>Additionally, the withheld thread was prepared by ENF attorneys in anticipation of litigation and contains analysis relating to Enforcement matters.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>ENF staff have a privacy interest in not being associated with a law enforcement investigation, and the public interest in knowing this personal information is not outweighed by their privacy interests.</p> <p>Portions of the email thread were released.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
14.	May 13, 14, 2024	Marc Johnson, Sanjay Wadhwa, Gurbir Grewal	Portions of an email thread among SEC staff were withheld.	Exemption 5 (deliberative process privilege; attorney client privilege) Exemption 6	<p>The email thread is an intra-agency record and contains discussion about matters and issues SEC staff proposed that Chair Gensler and Commissioner Lizzarraga should focus on, including about Ether and the Ethereum 2.0 investigation. The withheld information is pre-decisional because a decision had not been made about the legal issues relating to Ether and the investigation discussed in the email.</p> <p>Additionally, the withheld email was prepared by an ENF attorney in anticipation of litigation and contains legal analysis relating to a then-ongoing investigation.</p> <p>This email was also sent by an attorney to provide legal advice relating to, among other things, the Ethereum 2.0 investigation.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>Portions of the email were released.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
15.	May 14, 2024	Gregory Padgett, Gurbir Grewal, Sanjay Wadhwa, Marc Johnson, Gregory Smolar	A calendar invitation for the Weekly Chair Meeting and its five attachments were withheld.	Exemption 5 (deliberative process privilege; attorney client privilege; attorney work product doctrine) Exemption 4	<p>The withheld calendar invitation and attachments are intra-agency records that reflect analysis about various subjects, including Enforcement matters and rulemaking, in an upcoming SEC staff meeting with Chair Gensler. The records are deliberative because they reflect discussion about what issues Chair Gensler and SEC staff should focus on, analysis of those issues, and staff recommendations. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the calendar invitation and attachments.</p> <p>Additionally, the withheld records were prepared and selected by ENF attorneys in anticipation of litigation and contain legal analysis and proposed next steps relating to pending SEC actions.</p> <p>This calendar invitation was also sent by an attorney to provide legal advice relating to pending and possible SEC actions.</p> <p>One withheld attachment consists of correspondence and documents provided by a third party, which sought FOIA confidential treatment of their submission, in connection with an ENF matter unrelated to Ether or the Ethereum 2.0 investigation.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
16.	May 21, 2024	Gurbir Grewal, Jorge Tenreiro, Scott Schneider	<p>Portions of an email thread, as well as attachments to the thread, were withheld.</p> <p>The contact information of SEC staff was also withheld.</p>	<p>Exemption 5 (deliberative process privilege; attorney work product doctrine; attorney client privilege)</p> <p>Exemption 6</p>	<p>The withheld email thread and attachments are agency records. The email thread contains discussion about a draft statement from Chair Gensler about the Financial Innovation and Technology for the 21st Century Act and legal analysis about Ether. The email thread is deliberative because it reflects discussion and analysis about the draft statement and about a legal issue relating to Ether. The withheld information is pre-decisional because decisions had not been made about the issues discussed in the thread.</p> <p>The attachments to the emails consist of draft legal analysis and talking points regarding Ether developed in connection with SEC actions. The withheld attachments are pre-decisional because no decision had been made about the issues discussed in the documents.</p> <p>Additionally, the withheld records were prepared by ENF attorneys in anticipation of litigation and contain legal analysis, including talking points for oral argument in a court proceeding.</p> <p>The withheld records also contain legal advice relating to issues in SEC actions to be provided to Chair Gensler.</p> <p>Portions of the email thread were released.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
17.	June 12, 2024	Amanda Fischer, Scott Schneider, Megan Barbero, Lisa Helvin, Jorge Tenreiro, Corey Frayer	<p>The attachment to an email in an email thread was withheld.</p> <p>The email addresses of SEC staff were also withheld from the email.</p>	<p>Exemption 5 (deliberative process privilege; attorney client privilege)</p> <p>Exemption 6</p>	<p>The withheld attachment is an intra-agency record that contains proposed talking points for then-upcoming congressional testimony. The attachment is deliberative because it contains recommendations to Chair Gensler and commentary about those recommendations. The attachment is pre-decisional because it is a draft and no final agency decisions had been made about how Chair Gensler might respond to possible questions during testimony.</p> <p>The attachment is also from attorneys, and it provides legal advice to Chair Gensler.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>Portions of the email were released.</p>

	Email/Email Thread Date(s)	Author(s)/ Recipient(s)	Description of Withheld Information/Document(s)	FOIA Exemption(s)	Basis for Withholding
18.	June 12, 2024	Gary Gensler, Amanda Fischer, Kevin Burris, Megan Barbero, Lisa Helvin, Jorge Tenreiro, Corey Frayer, Lily Bailey	<p>In an email from Corey Frayer, analysis about a proposed response to a possible question during congressional testimony was withheld. The attachment to the email, which contains proposed talking points for congressional testimony, was withheld.</p> <p>The email addresses of SEC staff were also withheld.</p>	<p>Exemption 5 (deliberative process privilege; attorney client privilege)</p> <p>Exemption 6</p>	<p>The email thread and withheld attachment are intra-agency records that contain proposed talking points and answers to questions for then-upcoming congressional testimony. The email and attachment are deliberative because they contain recommendations to Chair Gensler and commentary about those recommendations. The thread is pre-decisional because no final agency decisions had been made about how Chair Gensler might respond to possible questions.</p> <p>The email thread and attachment are also from attorneys, and they provide legal advice to Chair Gensler.</p> <p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>Portions of the email were released.</p>
19.	June 19, 2024	Janna Berke, Malgorzata Spangenberg, Susan Poklemba, Caroline Crenshaw	In an email between SEC staff, the email addresses of staff were withheld.	Exemption 6	<p>SEC staff have a privacy interest in their email addresses, and there is no public interest in knowing their contact information.</p> <p>Portions of the email were released.</p>
20.	July 19, 2024	SEC Enforcement Staff	The Enforcement Case Closing Narrative for the Ethereum 2.0 investigation was withheld.	Exemption 5 (deliberative process privilege; attorney work-product doctrine)	<p>The withheld case closing narrative is an intra-agency record that describes the Ethereum 2.0 investigation and details a recommendation for closing the investigation. The record is deliberative because it reflects analysis and a recommendation by staff about an investigation. The withheld information is pre-decisional because decisions had not been made about issues relating to the investigation discussed in the record.</p> <p>Additionally, the withheld record was prepared by ENF attorneys in anticipation of litigation and contains legal analysis relating to the Ethereum 2.0 investigation.</p>

Exhibit B

From: [Harper, Nick](#)
To: [Verdi, Alexandra](#); [Bond, Jonathan C.](#)
Cc: [Nestor, Branton](#); [Yan, Phillip](#)
Subject: RE: History Associates v. SEC - Records release
Date: Friday, April 25, 2025 5:48:15 AM
Attachments: [image001.png](#)

Alex,

Thanks for your response. Although it remains unclear to us exactly the nature of the FOIA review the SEC has conducted, it has become apparent that we have different views about the nature of the FOIA review the Court's orders required the agency to undertake. We therefore intend to file a solo status report today apprising the Court of the SEC's April 11 production and requesting that the Court seek clarification from the SEC about whether the agency has complied with those orders, as we understand them (as explained in our emails below). The SEC of course is free to respond and state its position.

Best,
Nick

Nick Harper
[Partner](#)

[REDACTED]

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1700 M Street, N.W., Washington, D.C. 20036-4504

From: Verdi, Alexandra [REDACTED]
Sent: Thursday, April 17, 2025 5:04 PM
To: Harper, Nick [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

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Hi Nick,

In light of your email, we have reviewed the Court's instructions to make sure we are all on the same page. The Court ordered that we "produce to Plaintiff the prioritized subparts outlined in" the February 11, 2025 joint status report "by April 11, 2025." 2/11/2025 Minute Order; *see also* 3/28/2025 Minute Order (ordering SEC "to comply with the April 11 deadline"). The February 11, 2025 joint status report contains Plaintiff's request that the "Court [] order the agency to produce

the records [responsive to subparts 3 and 4] within 60 days” (ECF 27 at 5), and we produced records responsive to subparts 3 and 4 by April 11. During the November 2024 hearing, during which we discussed subparts 1 and 2, counsel requested that “on the Vaughn Index itself that [the SEC is] going to produce, it would be . . . appropriate and very helpful if it identifies whatever exemptions [the SEC] would intend to assert as to those documents so that [Plaintiff] get[s] this . . . once for all.” Tr. 19: 3-7. Thus, the Court has not stated that the Commission’s initial production is different from other initial FOIA productions, beyond the requirement that a *Vaughn* be provided with the production, and has not required that we provide a *Vaughn* that could not be changed as we prepare for any necessary summary judgment briefing. We have completed the tasks necessary for an initial FOIA production, including analyzing the records for all potentially applicable FOIA exemptions, segregability, and foreseeable harm, and the released records and *Vaughn* Indices reflect that analysis.

We do not intend to “assert[] additional FOIA exemptions at the eleventh hour.” To the contrary, as I have mentioned a few times, we are willing to discuss withholdings and are leaving open room for further consideration and analysis of withholdings, as is common in FOIA litigations. Providing *Vaughn* Indices in advance of summary judgment briefing facilitates discussion and often helps the parties narrow issues to resolve on summary judgment. Our intention with the Indices is to communicate applicable withholdings so that Plaintiff may review them, and then we can discuss Plaintiff’s concerns and try to narrow issues to resolve on summary judgment. We then will provide final *Vaughn* Indices in connection with summary judgment briefing.

Best,
Alex

From: Harper, Nick [REDACTED]
Sent: Thursday, April 17, 2025 1:25 PM
To: Verdi, Alexandra [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

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Alex,

Thank you for your response, but it is now even less clear to us what review the SEC has completed and what determinations it has made as to subparts 3 and 4. To ensure that we’re not talking past each other and to put our question in context, it may help to lay out first our understanding of the Court’s orders to the agency.

The Court’s February 11 and March 28 order required the SEC, by April 11, to produce all documents responsive to subparts 3 and 4. The Court has previously made clear (and the SEC has agreed) that

its productions of the prioritized subparts must be accompanied by a Vaughn index that identifies all the exemptions the SEC intends to assert as to each withheld document. *See, e.g.*, Nov. 8, 2024 Tr. 19. The purpose of these subpart-by-subpart productions is to get the SEC to definitively determine “once and for all” (*id.*) which responsive documents (and portions of documents) it will produce and which it will withhold, and to provide all of its justification for any withholdings, so that History Associates can decide whether to proceed to summary judgment without the SEC (again) asserting additional FOIA exemptions at the eleventh hour.

In our view, therefore, to comply with the Court’s February 11 and March 28 orders the SEC needed to: (1) definitively determine which responsive documents (and portions of documents) the agency will produce and which it will withhold based on a comprehensive segregability and foreseeable-harm analysis, and (2) identify in the Vaughn indices all of the exemptions it intends to rely on in justifying any withholdings. What we are trying to determine is whether the SEC has completed those two tasks. We understand that the SEC may have a different understanding of the Court’s orders, and the Court itself can resolve any disagreement about what its orders required. For now, we are simply trying to understand what steps the SEC has (and has not) taken in preparing its April 11 production.

Your initial characterization (on 4/11) of the Vaughn indices as “non-final, preliminary drafts” based on only an “initial” review of responsive documents, your clarification (on 4/14) that the SEC was reserving the right cite new FOIA exemptions to justify withholdings and to disclose additional documents, and your explanation (on 4/15) that the SEC “may identify additional exemptions that apply” or that “some information could be released” from documents currently withheld in full all indicated to us that the SEC has neither (1) definitively determined which documents and portions it will withhold nor (2) identified all exemptions that it will assert for each withheld record in these subparts. But your statement today that the SEC has “analyzed the records for all potentially applicable FOIA exemptions, segregability, and foreseeable harm during [y]our review” suggests the opposite, while also making it unclear in what way the Vaughn indices are “non-final, preliminary drafts.” Can you please clarify whether the SEC has completed these two tasks and what (if any) other steps the SEC believes remain to be completed?

Thanks,
Nick

Nick Harper
Partner



GIBSON DUNN
Gibson, Dunn & Crutcher LLP
1700 M Street, N.W., Washington, D.C. 20036-4504

From: Verdi, Alexandra [REDACTED]
Sent: Thursday, April 17, 2025 11:07 AM
To: Harper, Nick [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

Hi Nick,

We analyzed the records for all potentially applicable FOIA exemptions, segregability, and foreseeable harm during our review, which allowed us to determine which records to withhold in full and which to release in part with redactions. Our responses to subpart 3 and 4 are akin to initial FOIA responses we provide outside of litigation, not responses on an administrative appeal of a determination made on a FOIA request. Indeed, we provided *Vaughn* Indices along with our releases to facilitate discussion of our withholdings, though that is not usual practice in the processing of FOIA requests in or outside of litigation. By providing the *Vaughn* Indices at this stage, we recognize the common practice of discussing withholdings and engaging in further review in connection with litigation.

As I mentioned before, we are open to discussing specific records that Plaintiff seeks more information about.

Best,
Alex

From: Harper, Nick [REDACTED]
Sent: Wednesday, April 16, 2025 6:06 PM
To: Verdi, Alexandra [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

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Thanks Alex. To respond to your April 15 email, I just want to confirm that the SEC still has not reviewed the withheld materials in subparts 3 and 4 for all potentially applicable exemptions, and still has not conducted a final segregability and foreseeable-harm analysis for all withheld documents. If that is the case, we intend to file a status report apprising the Court that in our view the SEC has not complied with the Court's February 11 and March 28 orders. The SEC is of course free to respond and state its position.

Best,
Nick

Nick Harper
Partner

[REDACTED]

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1700 M Street, N.W., Washington, D.C. 20036-4504

From: Verdi, Alexandra [REDACTED]
Sent: Wednesday, April 16, 2025 5:11 PM
To: Harper, Nick [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

Hi Nick,

As requested, please find attached an Excel version of the subpart 3 WIF *Vaughn* Index.

Best,
Alex

From: Verdi, Alexandra
Sent: Tuesday, April 15, 2025 6:00 PM
To: Harper, Nick [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

Hi Nick,

The *Vaughn* Index lists the records that are exempt from release under the FOIA as determined by our initial review of the records.

In terms of possible updates or edits to the Index, upon further review, we may identify additional exemptions that apply (or in the case of Exemption 5, additional privileges that apply). It is also possible that, while we determined during our initial review that all the documents in the subpart 3 WIF *Vaughn* Index should be withheld in full, upon further review and consideration we would determine that some information could be released. Also, with respect to documents withheld under Exemption 4, we recognize that we may determine that Exemption 4 does not apply to some documents or portions of documents if Plaintiff would like us to go through the confidential

treatment substantiation process. Our updates or edits might also include correcting typos (for example, “inter-agency” versus “intra-agency”).

We are willing to discuss specific documents that you believe might not warrant withholding in full. Further review of the records would occur during our discussions about specific documents and in connection with any summary judgment briefing that may be required in this case.

Best,
Alex

From: Harper, Nick [REDACTED]
Sent: Monday, April 14, 2025 8:03 PM
To: Verdi, Alexandra [REDACTED]; Bond, Jonathan C. [REDACTED]
Cc: Nestor, Branton [REDACTED]; Yan, Phillip [REDACTED]
Subject: RE: History Associates v. SEC - Records release

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Thanks Alex. I’m not sure I understand what you mean by the SEC reserving the right to update or modify the entries in the Vaughn indices. In what way might the agency update or modify the Vaughn indices? Has the agency not definitively determined that, in its view, the documents listed in the Vaughn indices can be withheld in full under FOIA?

Nick Harper
Partner

[REDACTED]

GIBSON DUNN
Gibson, Dunn & Crutcher LLP
1700 M Street, N.W., Washington, D.C. 20036-4504

From: Verdi, Alexandra [REDACTED]
Sent: Monday, April 14, 2025 6:06 PM
To: Harper, Nick [REDACTED]; Bond, Jonathan C. [REDACTED]
Subject: RE: History Associates v. SEC - Records release

Hi Nick,

The preliminary *Vaughn* Indices are drafts in that we reserve the right to update or modify the entries before submitting them to the Court in connection with any summary judgment briefing

that may be required in this case.

With respect to the subpart 3 *Vaughn* Index for the records withheld in full, where there are multiple rows representing one family of records, the basis for withholding appears in one combined cell toward the end of the family. For example, on PDF pages 38-39, the basis for withholding entry (on PDF 39) is for GC-LIT-0470-0246085, GC-LIT-0470-0246086, and GC-LIT-0470-0246087, though the first two records are on PDF 38 and the last record is on PDF 39. We can look into modifying the formatting.

Best,
Alex

From: Harper, Nick [REDACTED]
Sent: Monday, April 14, 2025 11:43 AM
To: Verdi, Alexandra [REDACTED]; Bond, Jonathan C. [REDACTED]
Subject: RE: History Associates v. SEC - Records release

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Alex,

Confirming receipt. We have a couple of initial questions. First, you mentioned below that the *Vaughn* indices you provided are “non-final, preliminary drafts.” In what way are they non-final and preliminary?

Second, the formatting of the non-final, preliminary *Vaughn* index for subpart 3 makes it difficult to understand which withholding explanations match certain records (e.g., at pg. 38). Could you send us a PDF that fixes those formatting issues or provide the underlying Excel spreadsheet?

Thanks,
Nick

Nick Harper
Partner

[REDACTED]

GIBSON DUNN
Gibson, Dunn & Crutcher LLP
1700 M Street, N.W., Washington, D.C. 20036-4504

From: Verdi, Alexandra [REDACTED]

Sent: Friday, April 11, 2025 10:44 PM

To: Harper, Nick [REDACTED]; Bond, Jonathan C. [REDACTED]

Subject: History Associates v. SEC - Records release

Jonathan and Nick,

Please find attached today's release letter and preliminary *Vaughn* Indices in connection with narrowed subparts 3 and 4. Due to the size of the records, I will send the PDFs of the records separately via Accellion. Please let me know if you have issues accessing the records.

The *Vaughn* Indices are non-final, preliminary drafts intended to facilitate our discussion about withholdings. If there are particular documents and/or withholdings you have questions about or would like more information about, please let me know.

Separately, we are moving forward with processing re-run narrowed subpart 1.

Best,

Alex

Alexandra Verdi

Office of the General Counsel

[REDACTED]
[REDACTED]
[REDACTED]



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Exchange Commission**

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