

**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

JOINT STATUS REPORT

Plaintiff History Associates and Defendant the U.S. Securities and Exchange Commission hereby submit this joint status report in response to this Court’s May 1, 2025, Minute Order.

On February 11, 2025, this Court ordered the SEC to produce all documents responsive to prioritized Subparts 3 and 4 of History Associates’ Ethereum FOIA request by April 11, 2025. On April 11, the SEC made its production. The parties subsequently disagreed on the adequacy of the SEC’s production and filed status reports explaining their disagreement. *See* ECF 31, 32. On May 1, this Court ordered the parties to meet and confer by May 15 and to file a joint status report by May 22 “updating the Court on any resolution reached.” May 1, 2025, Minute Order.

History Associates and the SEC have conferred and agreed to resolve the dispute as follows. For a subset of documents responsive to Subparts 3 and 4 that History Associates has identified, the SEC by June 6 will: (1) definitively determine whether it can produce any additional responsive documents (or segregable portions of documents), and produce any such documents or portions not already produced; and (2) definitively determine whether it intends to rely on any additional FOIA exemptions for the subset of documents, and produce revised *Vaughn* indices for

the subset of documents identifying all FOIA exemptions the SEC intends to assert. History Associates acknowledges that the SEC may need additional time to process two records within this subset that are subject to the agency's confidential-treatment process.

The SEC also provided an additional response to Subpart 1 of the Ethereum FOIA request on May 9 and will provide an additional response to Subpart 2 of the request by June 6.

For the avoidance of doubt, History Associates maintains the right to pursue full disclosure of all documents responsive to the Ethereum FOIA request at summary judgment.

The parties propose to provide the Court with a status report on June 20, 2025.

Date: May 14, 2025

/s/ Jonathan C. Bond

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Respectfully submitted,

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