

**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

Pursuant to this Court’s June 20, 2025 Minute Order, Plaintiff History Associates and Defendant U.S. Securities and Exchange Commission hereby submit this joint status report.

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.

On May 14, the parties submitted a joint status report agreeing to resolve their dispute. ECF 33. For a subset of documents responsive to Subparts 3 and 4 that History Associates identified, the SEC agreed that, by June 6, it would: (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.

The SEC also stated that it would provide an additional response to Subpart 2 of the Ethereum FOIA request by June 6. History Associates maintained the right to pursue full disclosure of all documents responsive to the Ethereum FOIA request at summary judgment.

On June 6, the SEC provided a supplemental response to Subparts 3 and 4 along with two updated preliminary *Vaughn* indices. *See* ECF 34-1, 34-2, 34-3. The SEC also provided a supplemental response to Subpart 2 and a preliminary *Vaughn* index. *See* ECF 34-4, 34-5, 34-6.

On July 14, 2025, History Associates requested that the SEC process two additional subparts of their FOIA requests relating to Zachary Coburn and Enigma MPC. The SEC has conducted searches to identify potentially responsive records, and the parties are currently discussing a timeline for processing responsive records.

The parties propose to provide the Court with a status report on September 5, 2025.

Date: August 18, 2025

/s/ Nick Harper

Eugene Scalia
Jonathan C. Bond
Nick Harper
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Telephone: 202.955.8500
Facsimile: 202.467.0539
escalia@gibsondunn.com
jbond@gibsondunn.com
nharper@gibsondunn.com

Attorneys for Plaintiff

Respectfully submitted,

/s/ Alexandra Verdi

Alexandra Verdi
U.S. Securities and Exchange Commission
Boston Regional Office
33 Arch Street, 24th Floor
Boston, Massachusetts 02110
Telephone: 202.551.5057
verdim@sec.gov

Attorney for Defendant