

1 DOUGLAS M. MILLER (Cal. Bar No. 240398)
Email: millerdou@sec.gov
2 DAVID S. BROWN (Cal. Bar No. 134569)
Email: browndav@sec.gov
3

4 Attorneys for Plaintiff
Securities and Exchange Commission
5

6 Joseph G. Sansone, Unit Chief (Market Abuse Unit)
New York Regional Office
200 Vesey Street, Suite 400
7 New York, New York 10281

8 Robert A. Cohen, Unit Chief (Cyber Unit)
Headquarters
9 100 F Street, N.E.
Washington, District of Columbia 20549
10

11 Michele Wein Layne, Regional Director
Amy J. Longo, Regional Trial Counsel
444 S. Flower Street, Suite 900
12 Los Angeles, California 90071
Telephone: (323) 965-3998
13 Facsimile: (213) 443-1904

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **Western Division**

17
18 **SECURITIES AND EXCHANGE
COMMISSION,**

19 **Plaintiff,**

20 **vs.**

21 **TITANIUM BLOCKCHAIN
INFRASTRUCTURE SERVICES,
22 INC.; EHI INTERNETWORK AND
SYSTEMS MANAGEMENT, INC.
23 aka EHI-INSM, INC.; and MICHAEL
ALAN STOLLERY aka MICHAEL
24 STOLLAIRE,**

25 **Defendants.**
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Case No. 2:18-cv-04315-DSF-JPR

**PLAINTIFF SECURITIES AND
EXCHANGE COMMISSION'S
UNOPPOSED MOTION TO LIFT
TEMPORARY STAY AND
CONTINUE FILING DEADLINES**

1 **SEC’S UNOPPOSED MOTION TO LIFT TEMPORARY STAY AND**
2 **CONTINUE FILING DEADLINES**

3 Plaintiff Securities and Exchange Commission (“SEC”) files this unopposed
4 Motion to Lift Temporary Stay and Continue Filing Deadlines, and respectfully states
5 as follows:

6 1. This civil enforcement matter was filed on May 22, 2018 and names as
7 defendants Titanium Blockchain Infrastructure Services, Inc. (“TBIS”), EHI
8 Internetwork and Systems Management, Inc. aka EHI-INSM, Inc. (“EHI”), and
9 Michael Alan Stollery (“Stollaire”). (Dkt. No. 1.)

10 2. On May 23, 2018, the Court granted the SEC’s Ex Parte Application for
11 a Temporary Restraining Order (“TRO”) and Orders: (1) Freezing Assets; (2)
12 Prohibiting the Destruction or Alteration of Documents; (3) Granting Expedited
13 Discovery; (4) Requiring Accountings; and (5) Appointing a Temporary Receiver;
14 and Order To Show Cause Re Preliminary Injunction and Appointment of a
15 Permanent Receiver, and issued a TRO that, among other things, ordered TBIS, EHI,
16 and Stollaire to show cause why a preliminary injunction should not be granted and a
17 permanent receiver not appointed. (Dkt. No. 2.)

18 3. On May 25, 2018, TBIS, EHI, and Stollaire consented to the entry of a
19 preliminary injunction and to a continuation of the Court’s orders: (1) Freezing
20 Assets; (2) Prohibiting the or Destruction of Alteration of Documents; (3) Granting
21 Expedited Discovery; (4) Requiring Accountings; and (5) Appointing a Permanent
22 Receiver over TBIS, which the Court later entered on May 30, 2018. (Dkt. Nos. 47
23 and 48.)

24 4. On July 2, 2018, EHI and Stollaire answered the Complaint. (Dkt. No.
25 59.)

26 5. On October 15, 2018, the SEC filed a Joint Rule 26(f) Report with
27 defendants EHI and Stollaire stating, among other things, that both sides anticipated
28 taking up to ten depositions of fact witnesses and said additional depositions may be

1 necessary. Both sides further stated that they anticipated propounding requests for
2 production of documents, written interrogatories, and requests for admission, and
3 predicted that fact discovery could be completed by March 25, 2019. (Dkt. No. 67.)

4 6. On October 18, 2018, the Court entered an order setting discovery and
5 other deadlines, including a deadline for fact discovery to be completed by April 2,
6 2019 and a deadline for expert discovery to be completed by May 6, 2019 (the
7 “Scheduling Order”). (Dkt. No. 68.)

8 7. On December 3, 2018, prior SEC counsel in this action withdrew from
9 the case (having left the Commission), and current SEC counsel substituted him in
10 this action. (Dkt. Nos. 70 and 71.)

11 8. On December 27, 2018, due to a lapse in appropriations, the SEC was
12 shutdown. As a result of the shutdown, which lasted approximately 35 days, most
13 SEC staff was furloughed and prohibited from working (except in very limited
14 circumstances).

15 9. On January 22, 2019, while the shutdown remained ongoing, the SEC
16 filed an unopposed Motion to Temporarily Stay Litigation, during the pendency of
17 the shutdown and promised to meet and confer with the other parties within 14 days
18 of the end of the government shutdown and propose to the Court a revised Scheduling
19 Order. (Dkt. No. 72.)

20 10. On January 23, 2019, the Court granted the SEC’s unopposed request to
21 temporarily stay the litigation, but allowed the Court-appointed Receiver, Josias
22 Dewey, to continue to perform the duties and obligations, and to exercise the powers
23 and rights, set forth in the Court’s May 30, 2018 Order Appointing Receiver. (Dkt.
24 No. 73.)

25 11. On January 25, 2019, the shutdown ended and SEC staff returned to
26 work on January 28, 2019. On February 1, 2019, counsel for the SEC conferred with
27 counsel for defendants EHI and Stollaire, as well as counsel for the court-appointed
28 the receiver over TBIS, and they indicated they do not oppose lifting the temporary

1 stay now that the shutdown has ended. They further agreed that due to the delay
 2 caused by the shutdown, the filing deadlines and hearing dates set by the Court's
 3 October 18, 2018 order should be continued as follows:

FILING / HEARING	EXISTING DEADLINE	PROPOSED DEADLINE
Discovery Cut-off	April 2, 2019	May 7, 2019
Initial Expert Witness Exchange	April 9, 2019	May 14, 2019
Rebuttal Expert Witness Exchange	April 23, 2019	May 21, 2019
Expert Witness Cut-off	May 6, 2019	June 10, 2019
Motion Hearing Cut-off	May 27, 2019	July 1, 2019
ADR Cut-off	June 10, 2019	July 15, 2019
Memoranda of Contentions, etc.	July 15, 2019	August 19, 2019
Pretrial Conference Order	July 22, 2019	August 26, 2019
Final Pretrial Conference	August 5, 2019	September 9, 2019
Trial Date	September 3, 2019	October 8, 2019

13
 14 WHEREFORE, for the foregoing reasons, the SEC respectfully moves this
 15 Court to lift the temporary this in this litigation and issue an order revising the filing
 16 deadlines and hearing dates as set forth above.

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 18 Dated: February 4, 2019

Respectfully submitted,

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 20 */s/ Douglas M. Miller*

DOUGLAS M. MILLER

Attorney for Plaintiff

Securities and Exchange Commission

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PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,
444 S. Flower Street, Suite 900, Los Angeles, California 90071
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On February 4, 2019, I caused to be served the document entitled **PLAINTIFF SECURITIES AND EXCHANGE COMMISSION’S UNOPPOSED MOTION TO LIFT TEMPORARY STAY AND CONTINUE FILING DEADLINES** on all the parties to this action addressed as stated on the attached service list:

OFFICE MAIL: By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency’s practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

PERSONAL DEPOSIT IN MAIL: By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

EXPRESS U.S. MAIL: Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

HAND DELIVERY: I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

UNITED PARCEL SERVICE: By placing in sealed envelope(s) designated by United Parcel Service (“UPS”) with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

ELECTRONIC MAIL: By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

E-FILING: By causing the document to be electronically filed via the Court’s CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

FAX: By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

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

Date: February 4, 2019

/s/ Douglas M. Miller

Douglas M. Miller

1 DOUGLAS M. MILLER (Cal. Bar No. 240398)
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Case No. 2:18-cv-04315-DSF-JPR

**[PROPOSED] ORDER LIFTING
TEMPORARY STAY OF
LITIGATION AND CONTINUING
FILING DEADLINES**

1 The Court has received, reviewed, and considered the Plaintiff Securities and
 2 Exchange Commission’s Unopposed Motion to Lift Temporary Stay and Continue
 3 Filing Deadlines filed on February 4, 2019.

4 NOW THEREFORE, due to the end of the lapse in federal government
 5 appropriations (“government shutdown”) and the delay that it has caused, good cause
 6 exists to (1) lift the temporary stay previously imposed in this action and (2) revise
 7 the discovery and trial schedules set in the Court’s October 18, 2018 Order, as
 8 follows:

FILING / HEARING	DATE / DEADLINE
Discovery Cut-off	May 7, 2019
Initial Expert Witness Exchange	May 14, 2019
Rebuttal Expert Witness Exchange	May 21, 2019
Expert Witness Cut-off	June 10, 2019
Motion Hearing Cut-off	July 1, 2019
ADR Cut-off	July 15, 2019
Memoranda of Contentions, etc.	August 19, 2019
Pretrial Conference Order	August 26, 2019
Final Pretrial Conference	September 9, 2019
Trial Date	October 8, 2019

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 19 **IT IS SO ORDERED.**

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 21 Dated: February __, 2019

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 23 _____
 24 Honorable Dale S. Fischer
 25 United States District Judge
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