

EXHIBIT A

VIA ECF

The Honorable Valerie E. Caproni
United States District Court Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 240

Allen Overy Shearman Sterling US LLP
1221 Avenue of the Americas
New York, NY 100202

Tel +1 212 848 4000
Fax +1 212 848 6399
Direct Line +1 212 848 7179
John.Nathanson@aoshearman.com

December 3, 2024

Re: *Commodity Futures Trading Commission vs. Mek Global Limited, et al., 24-CV-02255*

Dear Judge Caproni:

We represent Defendants Mek Global Limited, PhoenixFin PTE Ltd., Flashdot Limited, and Peken Global Limited (collectively “Defendants”) in the above-captioned matter and write pursuant to Rule 2.C. of Your Honor’s Individual Practices in Civil Cases, to seek a 60-day extension of all deadlines in this action, including Defendants’ December 6, 2024 deadline to respond to the complaint, to allow the parties time to resolve this action without further litigation. This is the fourth request for an extension of time. As reflected in the enclosed joint stipulation and proposed order, the Commodity Futures Trading Commission (“CFTC”) joins Defendants in this request.

The CFTC filed a Complaint against Defendants on March 26, 2024. (Dkt. 1). By Joint Stipulation and Order dated May 6, 2024, Defendants’ deadline to respond to the Complaint was extended until August 8, 2024. (Dkt. 21). The parties jointly requested the initial extension to allow the parties sufficient time to discuss the advancement of the litigation. (Dkt. 19). In light of the initial extension, the parties were also ordered to submit a joint proposed case management plan and a joint letter on August 8, 2024, and appear for an Initial Pretrial Conference on August 16, 2024. (Dkt. 25). The parties continued to negotiate in good faith, and by Joint Stipulation and [Proposed] Order dated August 1, 2024, the parties sought additional time to conclude their negotiations. (Dkt. 26-1). By Joint Stipulation and Order dated August 2, 2024, Defendants’ deadline to respond to the Complaint was extended until October 7, 2024. (Dkt. 27). The parties were also ordered to submit a joint proposed case management plan and a joint letter on October 7, 2024, and appear for an Initial Pretrial Conference on October 18, 2024. (*Id.*). Following the second extension, the parties continued to negotiate in good faith, and by Joint Stipulation and [Proposed] Order dated October 3, 2024, the parties sought additional time to conclude their negotiations and achieve a potential resolution. (Dkt. 28-1). By Joint Stipulation and Order dated October 3, 2024, Defendants’ deadline to respond to the Complaint was extended until December 6, 2024 (Dkt. 29). The parties were also ordered to submit a joint proposed case management plan

AOSHEARMAN.COM

Allen Overy Shearman Sterling US LLP is a limited liability partnership organized under the laws of the State of Delaware. Allen Overy Shearman Sterling US LLP is affiliated with Allen Overy Shearman Sterling LLP, a limited liability partnership registered in England and Wales with registered number OC306763 and with its registered office at One Bishops Square, London E1 6AD. It is authorized and regulated by the Solicitors Regulation Authority of England and Wales (SRA number 401323). The term partner is used to refer to a member of Allen Overy Shearman Sterling LLP or an employee or consultant with equivalent standing and qualifications. A list of the members of Allen Overy Shearman Sterling LLP and of the non-members who are designated as partners is open to inspection at its registered office at One Bishops Square, London E1 6AD.

and a joint letter on December 6, 2024, and appear for an Initial Pretrial Conference on December 20, 2024. (*Id.*).

The Defendants and the CFTC's Division of Enforcement have reached an agreement in principle to resolve this matter, subject to certain additional approvals. However, the parties require additional time to finalize and document the agreement. The parties, therefore, jointly request an extension of all deadlines and appearances by 60 days. Under the parties' proposed extension, Defendants' time to respond to the Complaint would be extended to February 4, 2025. If no resolution is reached, then the parties would also submit a joint proposed case management plan and joint letter on February 4, 2025, and appear for an Initial Pretrial Conference on February 21, 2025, or another Friday morning convenient for Your Honor.

Respectfully submitted,

/s/ John A. Nathanson

John A. Nathanson
Christopher L. LaVigne
Katherine J. Stoller
Liz Robinson (*pro hac vice*)
Sean T. Boren
ALLEN OVERY SHEARMAN STERLING
US LLP
599 Lexington Avenue
New York, New York 10022
Tel: (212) 848 4000
john.nathanson@aoshearman.com
katherine.stoller@aoshearman.com
christopher.lavigne@aoshearman.com
liz.robinson@aoshearman.com
sean.boren@aoshearman.com

*Counsel for MEK GLOBAL LIMITED,
PHOENIXFIN PTE. LTD., FLAHDOT
LIMITED, and PEKEN GLOBAL LIMITED*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

MEK GLOBAL LIMITED, PHOENIXFIN
PTE LTD., FLASHDOT LIMITED, and
PEKEN GLOBAL LIMITED (collectively
d/b/a/ “KUCOIN”),

Defendants.

Case No. 1:24-cv-02255-VEC

**JOINT STIPULATION AND [PROPOSED] ORDER
TO ADJOURN ALL PENDING DEADLINES**

WHEREAS, on March 26, 2024, Plaintiff COMMODITY FUTURES TRADING COMMISSION (“CFTC”) filed a complaint (the “Complaint”) against MEK GLOBAL LIMITED, PHOENIXFIN PTE. LTD., FLASHDOT LIMITED, and PEKEN GLOBAL LIMITED (collectively, “Defendants”) in the above-captioned action alleging violations of the Commodity Exchange Act and regulations promulgated thereunder;

WHEREAS, by Joint Stipulation and Order dated May 6, 2024, August 2, 2024, and October 3, 2024, Defendants’ deadline to respond to the Complaint was extended until December 6, 2024, to allow the parties sufficient time to reach a potential resolution of this matter;

WHEREAS, the parties were directed to submit a joint proposed case management plan and a joint letter on December 6, 2024;

WHEREAS, an Initial Pretrial Conference is scheduled to take place on December 20, 2024;

WHEREAS, Defendants and the CFTC's Division of Enforcement have reached an agreement in principle to resolve this action, subject to certain additional approvals; and,

WHEREAS, the parties believe it would be in the best interest of the parties and judicial efficiency to adjourn all pending deadlines and appearances by 60 days to allow the parties time to finalize and document the terms of their resolution.

Now, therefore, the parties, through their undersigned counsel, hereby stipulate and agree as follows:

1. Defendants' deadline to respond to the Complaint is extended until February 4, 2025;
2. The parties' deadline to submit a joint letter and joint proposed case management plan is extended until February 4, 2025;
3. The Initial Pretrial Conference shall be adjourned until February 21, 2025, or another time convenient for the Court;
4. All remaining deadlines shall be extended by 60 days; and
5. This stipulation is without prejudice to, and does not waive, any right, claim, or defense of any party.

Dated: New York, New York
December 3, 2024

/s/ John A. Nathanson
John A. Nathanson
Christopher L. LaVigne
Katherine J. Stoller
Liz Robinson
Sean T. Boren
ALLEN OVERY SHEARMAN &
STERLING US LLP
599 Lexington Avenue
New York, NY 10022-6069
Telephone: (212) 848-4000
john.nathanson@aoshearman.com
christopher.lavigne@aoshearman.com
katherine.stoller@aoshearman.com
liz.robinson@aoshearman.com
sean.boren@aoshearman.com

*Counsel for MEK GLOBAL LIMITED,
PHOENIXFIN PTE. LTD., FLAHDOT
LIMITED, and PEKEN GLOBAL LIMITED*

/s/ John C. Murphy (with permission)
John C. Murphy
Andrew J. Rodgers
K. Brent Tomer
COMMODITY FUTURES TRADING COMMISSION
Ted Weiss Federal Office Building
290 Broadway, Suite 600
New York, NY 10007
Phone: (646) 746-9700
Fax: (646) 746-9938
arodgers@cftc.gov
jmurphy@cftc.gov
ktomer@cftc.gov

*Counsel for Commodity Futures Trading
Commission*

SO ORDERED this ____ day of _____ 2024

The Honorable Valerie Caproni
United States District Judge