

## U.S. Supreme Court Docket, October 2021 Term — Federal Securities Cases

| Granted Petitions  | Docket No. | Subject            | Status, Deadlines   | Questions Presented  |
|--|------------|--------------------|---|--|
| <a href="#">Pivotal Software, Inc. v. Tran</a><br>(5/3/21) | 20-1541    | Federal preemption | <p>Removed from argument calendar 9/2/21</p> <p>Motion to recalendar argument, hold proceedings in abeyance <a href="#">8/27/21</a></p> <p><a href="#">Certiorari granted</a> 7/2/21</p> <p>Respondent brief: <a href="#">6/4/21</a><br/>Petitioner brief: <a href="#">8/16/21</a>; <a href="#">6/7/21</a></p> <p>Attorneys: Deanne Elizabeth Maynard (Morrison &amp; Foerster LLP) for the petitioners</p> <p><a href="#">Supreme Court Docket</a></p> | Whether the PSLRA discovery-stay provision applies to a private action under the Securities Act in state or federal court, or solely to a private action in federal court. |

| Pending Petitions  | Docket No. | Subject                                   | Status, Deadlines  | Questions Presented   |
|--|------------|---|--|---|
| <a href="#">Alpine Securities Corporation v. SEC</a> (7/19/21)                               | 21-82      | SEC authority to enforce Bank Secrecy Act | <p>Response due 10/20/21</p> <p>Amicus briefs: CATO Institute; <a href="#">Former FinCen officials</a></p> <p>Attorneys: Robert M. Loeb (Orrick, Herrington &amp; Sutcliffe LLP) for Alpine Securities Corp.</p> <p><a href="#">Supreme Court Docket</a></p>   | <p>Does the SEC's assertion of independent authority to interpret and enforce the Bank Secrecy Act contravene Congress's decision to entrust enforcement of the BSA's comprehensive anti-money-laundering regime to the Treasury Department?</p> <p><a href="#">Second Circuit decision</a> (12/4/20)</p> |
| Denied Petitions   | Docket No. | Subject                                   | Status   | Holding   |
| <a href="#">BofI Holding, Inc. v. Houston Municipal Employees Pension System</a> (3/26/2021) | 20-1364    | <i>Basic</i> presumption                  | <p><a href="#">Certiorari denied</a> 10/4/21</p> <p>Petitioner brief: <a href="#">8/11/21</a></p> <p>Respondent brief: <a href="#">6/25/21</a></p> <p>Amicus briefs: <a href="#">SIFMA</a></p> <p>Attorneys: Polly Towill (Sheppard, Mullin, Richter &amp; Hampton LLP) for BofI Holding, Inc.</p> <p><a href="#">Supreme Court Docket</a></p> | <p>Whether disputed public allegations, without any additional corroborating disclosure or event, reveal to an efficient market the "truth" for purposes of establishing loss causation under <i>Dura</i>.</p> <p><a href="#">Ninth Circuit decision</a> (10/8/20)</p>                                    |