



U.S. Department of Justice
United States Attorney
District of New Jersey

970 Broad Street
Newark, New Jersey 07102

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August 31, 2023

VIA ECF AND ELECTRONIC MAIL

Honorable Michael A. Hammer
United States Magistrate Judge
U.S. Post Office & Federal Courthouse
Federal Square
Newark, New Jersey 07102

Re: Securities and Exchange Commission v. Gordon Coburn,
Steven Schwartz
Civ. No. 19-cv-05820 (KM-MAH)

Dear Judge Hammer:

Pursuant to the Court's Order dated February 28, 2022, the Government writes to provide the Court with a joint update on the status of the case.

The trial in *United States v. Gordon Coburn, Steven Schwartz*, Crim. No. 19-120 (KM), is scheduled to commence on October 2, 2023. As noted in the Government's previous status updates, all parties expect the case to proceed to trial on that date. Given the active posture of the criminal case, and the upcoming criminal trial, it is the Government's position that the stay of discovery imposed in this Court's November 13, 2019, Order should remain in place. We understand that Defendants Coburn and Schwartz adhere to their prior arguments in opposition to the stay, as well as their alternative proposal for a limited stay. Plaintiff SEC does not take a position on whether the stay should be lifted at this time.

The Government proposes that the parties file another joint status letter one month after the conclusion of the criminal case.

Respectfully submitted,

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United States Attorney

GLENN S. LEON
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By: s/ Sonali D. Patel
SONALI D. PATEL
GERALD M. MOODY, JR.
Trial Attorneys

cc: All counsel (via ECF)

SO ORDERED:

s/ Michael A. Hammer
Hon. Michael A. Hammer, U.S.M.J.

Dated: September 5, 2023