

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	20 Civ. 10832 (AT) (SN)
	:	
- against -	:	ECF Case
	:	
RIPPLE LABS, INC., BRADLEY GARLINGHOUSE,	:	
and CHRISTIAN A. LARSEN,	:	
	:	
Defendants.	:	
	:	
-----X		

PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S  
REPLY MEMORANDUM OF LAW IN FURTHER OPPOSITION TO THE  
MOTION TO INTERVENE

Jorge G. Tenreiro  
Dugan Bliss  
Robert Moye  
Benjamin Hanauer  
Mark Sylvester  
Daphna A. Waxman  
Jon A. Daniels  
Ladan F. Stewart

Attorneys for Plaintiff  
SECURITIES AND EXCHANGE  
COMMISSION  
New York Regional Office  
200 Vesey Street, Suite 400  
New York, New York 10281  
(212) 336-0153 (Stewart)  
steawrtla@sec.gov

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Plaintiff Securities and Exchange Commission (“SEC”) respectfully submits this memorandum of law (pursuant to the Court’s Scheduling Order (D.E. 89 ¶ 4)) in reply to Defendants Ripple Labs, Inc. (“Ripple”), Christian A. Larsen, and Bradley Garlinghouse’s response (“Defendants’ Response,” D.E. 152) to the motion to intervene (the “Motion,” D.E. 122) filed by Jordan Deaton, James Lamonte, Tyler Lamonte, Mya Lamonte, Mitchell McKenna, and Kristiana Warner (collectively, “Movants”). For the reasons set forth below and in the SEC’s opposition brief (“SEC Opposition,” D.E. 153), the Motion should be denied.

### PRELIMINARY STATEMENT

Movants are six purported investors in the digital asset XRP who seek to intervene on behalf of “all similarly situated XRP holders” in the SEC’s enforcement action against Ripple—the issuer of XRP—and Ripple’s current and former chief executive officers. The SEC has opposed Movants’ attempt to improperly inject themselves into this action. Defendants seem to agree with the SEC that Movants should not be permitted to intervene under Federal Rule of Civil Procedure 24 (“Rule 24”) and instead propose that Movants participate in this action as *amici curiae*—a request that Movants themselves have not made, and one that should be rejected by the Court.

As described in the SEC Opposition, Movants cannot offer any unique perspective or information that is not already available to the Court, either in the public record or through the presentation of Defendants’ able counsel. Nor are Movants impartial, objective participants seeking to aid the Court. Rather, they have wholly adopted Defendants’ litigation positions and advocate for the same outcome as Defendants. Seeking to inject themselves as “third-party defendants” in this action, Movants would act as “friends” of Defendants, not true “friends of the court,” if permitted to participate as *amici*. And Movants’ arguments are not relevant to (and would improperly expand) the violations charged by the SEC in this action.

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