UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING File
No. 3-20650

In the Matter of

American CryptoFed DAO LLC,

Respondent.

DIVISION OF ENFORCEMENT'S MOTION FOR LEAVE
TO FILE A MOTION TO SET A BRIEFING SCHEDULE

The Division of Enforcement ("Division") of the U.S. Securities and Exchange

Commission ("Commission"), in accordance with the Commission's January 6, 2022 Order

establishing procedures for filing further non-dispositive motions in these proceedings, respectfully

requests leave to file a motion to set a briefing schedule regarding summary disposition.

In its January 6 Order, in response to Respondent's numerous motions, the Commission

established specific procedures for filing additional non-dispositive motions in this matter. In

particular, the Commission required the parties to meet and confer, and for the moving party to

seek and receive leave from the Commission prior to filing such a motion. *Id*. at 3.

Thus, the Division seeks leave for permission to file a motion to set a briefing schedule for

the summary disposition motion that the Division intends to file.[1] The Commission, which is

---

[1] The Commission's January 6 Order requires that the parties meet and confer prior to
filing a motion. The Division attempted, prior to filing this request, to meet and confer with
Respondent regarding the Division's intended motion to set a briefing schedule. Respondent stated
by letter that it opposed efforts to schedule briefing on summary disposition at this time.
Respondent and its officers refused to meet and confer based on their belief that the meet and
confer would violate the Commission's previous orders in this proceeding.

presently presiding as hearing officer in this proceeding, has authority to set a briefing schedule in order to regulate the conduct of these proceedings. See Rule 111(d), 17 C.F.R. § 201.111(d). The Division recognizes that the Commission has previously deferred issuing a briefing schedule for summary disposition briefing given the pendency of other motions. *See* Jan. 5, 2022 Order at 3, n.14; Jan. 12, 2022 Order at 8. However, as the Division hopes to explain in the motion it seeks leave to file, resolving all of those motions before briefing summary disposition is not necessary and setting a briefing schedule for summary disposition at this time will assist in bringing about a timely and orderly resolution of these proceedings.[2]

Accordingly, the Division respectfully requests that the Commission grant the Division leave to file a motion to set a summary disposition briefing schedule.

Dated: March 24, 2022

Respectfully submitted,

/s/ Christopher Bruckmann

Christopher Bruckmann	(202) 551-5986
Martin Zerwitz	(202) 551-4566
Michael Baker	(202) 551-4471
Christopher J. Carney	(202) 551-2379

Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-5949
bruckmannc@sec.gov
zerwitzm@sec.gov
bakermic@sec.gov
carneyc@sec.gov
COUNSEL FOR
DIVISION OF ENFORCEMENT

---

[2] The Commission's January 6 Order also required any request for leave to file a motion to provide "justification for why the underlying motion must be considered and determined prior to summary disposition." Jan. 6, 2022 Order at 3. Here, the underlying motion must be considered and determined prior to summary disposition, because the Commission's previous orders foreclose the Division from moving for summary disposition until after the Commission has entered an order setting a briefing schedule.

<u>CERTIFICATE OF SERVICE</u>

I hereby certify that I caused true copies of the Division of Enforcement's Motion for Leave to File a Motion to Set a Briefing Schedule to be served on the following on March 24, 2022, in the manner indicated below:

By Email:

Scott Moeller
scott.moeller@americancryptofed.org President
American CryptoFed DAO LLC

Zhou Xiaomeng
zhouxm@americancryptofed.org
Chief Operating Officer
American CryptoFed DAO LLC

/s/ Christopher Bruckmann
Christopher Bruckmann