

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

KEVIN CLARKE, TREVOR
BOECKMANN, HARRY CRANE, CORWIN
SMIDT, PREDICT IT, INC., ARISTOTLE
INTERNATIONAL, INC., MICHAEL
BEELER, MARK BORGHI, RICHARD
HANANIA, JAMES MILLER, JOSIAH
NEELEY, GRANT SCHNEIDER, and WES
SHEPHERD,

Plaintiffs,

v.

COMMODITY FUTURES TRADING
COMMISSION,

Defendant.

Civil Docket No. 1:24-cv-00614-DAE

The Honorable David Alan Ezra

CONSENT MOTION FOR CHANGE OF DATE OF VIDEO HEARING

Defendant Commodity Futures Trading Commission (“CFTC”) hereby moves to change the date of the video hearing currently set for August 7, 2024 at 2:00 PM (CPT). *See* Dkt. 86. Counsel for Plaintiffs has advised the CFTC that Plaintiffs consent to this motion. On the currently set date, lead counsel for the CFTC is scheduled to accompany his sister during a lengthy medical procedure and take her home afterward. The sister does not have any good alternatives for this purpose.

The CFTC is available for a video hearing on any date in August except the afternoons of August 9 and August 16, when CFTC lead counsel also has previously scheduled family medical commitments. Counsel for the Plaintiffs has advised the CFTC that he will not be available all day on August 9, 16, and 19, and on the afternoon of August 15. The CFTC respectfully

requests that the Court reschedule the video hearing for a date consistent with the information in this motion.

CONCLUSION

The Court should reschedule the video hearing currently scheduled for August 7, 2024 to a date consistent with the information in this motion.

Respectfully submitted,

/s/ Martin B. White

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COMMODITY FUTURES TRADING COMMISSION

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CERTIFICATE OF SERVICE

I certify that on July 31, 2024, I caused the foregoing document to be served on the Clerk of the Court using the Court's CM/ECF system, which will send notice to all counsel of record in this case.

/s/ Martin B. White