

**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

JOINT STATUS UPDATE

Defendant Commodity Futures Trading Commission (“Commission”) and Plaintiffs Kevin Clarke, PredictIt, Inc. and all the others submit this status update as promised by their May 21, 2025, joint status update (ECF No. 135). Since the partes’ motion for a continuance of the hearing on pending motions (ECF No. 133) and consistent with the previous joint status updates filed by the parties (ECF Nos. 134 and 135), the Commission continues to consider a potential resolution of this matter. The Commission is considering the potential resolution through its seriatim process for collecting Commissioner votes on the matter. *See* 17 C.F.R. § 140.12 (“Disposition of business by seriatim Commission consideration.”).

The parties therefore jointly request an additional two weeks to allow the Commission to continue consideration of a potential negotiated resolution of this case and propose filing another status report on Friday, June 13, 2025. During that additional requested period, the parties

respectfully request that the Court continue to stay its consideration of the pending motions previously set for a hearing on April 11, 2025.

Dated: June 3, 2025

/s/ Carlin R. Metzger

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2025, a copy of the foregoing was filed electronically and was served on counsel of record through the Court's electronic case filing/case management (ECF/CM) system.

/s/ Michael Edney
Michael Edney