

UNITED STATES COURT OF APPEALS

DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW
Washington, DC 20001-2866
Phone: 202-216-7000 | Facsimile: 202-219-8530

AGENCY DOCKETING STATEMENT

Administrative Agency Review Proceedings (To be completed by appellant/petitioner)

- 1. CASE NO. 22-1142 2. DATE DOCKETED: 06-29-2022
3. CASE NAME (lead parties only) GRAYSCALE INVESTMENTS, LLC v. SEC
4. TYPE OF CASE: [X] Review [] Appeal [] Enforcement [] Complaint [] Tax Court
5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? [] Yes [X] No
6. CASE INFORMATION:
a. Identify agency whose order is to be reviewed: Securities & Exchange Commission
b. Give agency docket or order number(s): Release No. 34-95180; File No. SR-NYSEArca-2021-90
c. Give date(s) of order(s): June 29, 2022
d. Has a request for rehearing or reconsideration been filed at the agency? [] Yes [X] No
e. Identify the basis of appellant's/petitioner's claim of standing. See D.C. Cir. Rule 15(c)(2): Grayscale Investments, LLC is the sponsor of Grayscale Bitcoin Trust (BTC) ("Trust"). The order at issue prevents NYSE Arca, Inc. from listing and trading shares of the Trust, even though the Commission has permitted competitor products to trade on national securities exchanges.
f. Are any other cases involving the same underlying agency order pending in this Court or any other? [] Yes [X] No
g. Are any other cases, to counsel's knowledge, pending before the agency, this Court, another Circuit Court, or the Supreme Court which involve substantially the same issues as the instant case presents? [] Yes [X] No
h. Have the parties attempted to resolve the issues in this case through arbitration, mediation, or any other alternative for dispute resolution? [] Yes [X] No

Signature /s/ Donald B. Verrilli, Jr. Date 08-01-2022
Name of Counsel for Appellant/Petitioner Donald B. Verrilli, Jr.
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ATTACH A CERTIFICATE OF SERVICE

Note: If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement.

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of August, 2022, I caused copies of the foregoing document to be served on counsel for all parties of record via the Electronic Case Filing (ECF) service.

Dated: August 1, 2022

/s/ Donald B. Verrilli, Jr.

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