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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Federal Trade Commission,
Plaintiff,
v.
Ascend Capventures Inc., et al.
Defendants.

Case No. 2:24-cv-07660-SPG-JPR

PLAINTIFF'S, DEFENDANTS' AND RECEIVER'S STIPULATION TO EXTEND THE TEMPORARY RESTRAINING ORDER UNTIL JANUARY 8, 2025 OR UNTIL ENTRY OF A PRELIMINARY INJUNCTION

The Federal Trade Commission ("FTC"); Defendants, Ascend Capventures Inc., Ascend Ecommerce Inc., Ascend Administration Inc., Ascend Ecom LLC, Ascend Distribution LLC, William Michael Basta, and Jeremy Kenneth Leung (the "Parties"); and Stephen J. Donell, the Court-appointed Receiver, respectfully file this stipulation requesting that the Court extend the Temporary Restraining Order ("TRO") until January 8, 2025 or until entry of a Preliminary Injunction ("PI"), whichever is earliest.

This Court issued a TRO on September 13, 2024, Dkt. 30, and extended it four times, Dkts. 42, 55, 70, and 75. Since the TRO was entered, the following events have transpired:

- October 21, 2024: The Parties filed a proposed Stipulated Preliminary Injunction ("Stipulated PI") (Dkt. 62-1).
- October 22, 2024: The Court issued a Scheduling Notice instructing the Parties to file a joint brief addressing questions relating to the proposed Stipulated PI by October 30 (Dkt. 66).
- October 23, 2024: To ensure that the TRO would not lapse while the Court was considering the Parties' Stipulated PI and joint brief, the Parties and the Receiver filed a Stipulation Extending the TRO Pending Entry of the Stipulated PI (Dkt. 67).
- October 24, 2024: The Court entered an Order extending the TRO until the earliest of: (1) the date of entry of the Stipulated PI; or (2) November 6, 2024 (Dkt. 70).
- October 30, 2024: The Parties submitted a Joint Brief in compliance with the Court's Scheduling Notice (Dkt. 72).
- November 6, 2024: The Court entered an Order extending the TRO until the earliest of: (1) the date of entry of the Stipulated PI; or (2) November 20, 2024 (Dkt. 75).

Unless the Court enters the Stipulated PI on or by tomorrow, November 20, 2024, the TRO will expire at the end of that day.

If, however, the Court issues the Stipulated PI by 11:59 p.m. Pacific Standard Time on or by Wednesday, November 20, 2024, this Stipulation will become moot. The Parties and the Receiver are filing this Stipulation to ensure that the TRO remains in effect uninterrupted in the event that a PI is not issued by 11:59 p.m. on November 20.

The FTC and the Receiver assert that it is critical that the TRO be extended to ensure that the status quo is maintained while to Court considers whether to approve the Stipulated PI. In the absence of an extension to the TRO, core provisions of the TRO, including the conduct prohibitions, receivership, and asset freeze, will effectively be dissolved on November 20, 2024.

A proposed order extending the TRO is submitted with this stipulation.

SIGNATURE CERTIFICATION

In accordance with Civil Local Rule 5-4.3.4(a)(2)(i), the filer hereby attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: November 19, 2024

Respectfully submitted,

For Plaintiff Federal Trade Commission:

/s/ Jody Goodman

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CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2024, I served the foregoing **PLAINTIFF'S AND DEFENDANTS' STIPULATION TO EXTEND THE TEMPORARY RESTRAINING ORDER UNTIL JANUARY 8, 2025 OR UNTIL ENTRY OF A PRELIMINARY INJUNCTION** on the following attorneys via CM/ECF:

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