

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-24903-JB

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

RISHI KAPOOR, et al,

Defendants.

**DEFENDANT RISHI KAPOOR'S UNOPPOSED MOTION FOR STAY
OF BRIEFING AND HEARING ON MONETARY REMEDIES**

Defendant, Rishi Kapoor ("Kapoor"), through undersigned counsel, hereby files his Unopposed Motion for Stay of Briefing and Hearing on Monetary Remedies and, in support, states as follows:

1. Mr. Kapoor is under Indictment in the Southern District of Florida, having Case No. 26-CR-20073-MOORE/ELFENBEIN (the "Criminal Case").
2. Mr. Kapoor and Plaintiff Securities and Exchange Commission (the "SEC") had previously reached a settlement as to liability in this case, and Kapoor, without admitting or denying the allegations in the Complaint, consented to the entry of a Judgment granting the Commission's request for permanent injunctive relief and barring Kapoor, for a period of five years, from serving as an officer or director of a publicly traded company [ECF Nos. 295, 302].
3. The only open issue as to Mr. Kapoor predicated upon the Complaint of the SEC in this matter is whether Mr. Kapoor is responsible for disgorgement, prejudgment interest,

and/or a civil penalty (“Monetary Remedies”). If he is found to be responsible, then a determination would have to be made regarding the amount of such Monetary Remedies.

4. In order to present his case as to the viability of any Monetary Remedies, Mr. Kapoor would have to testify before this Court. Due to the pendency of the Criminal Case, Mr. Kapoor would not be able to testify but rather would have to assert his Fifth Amendment privilege.
5. In order to allow Mr. Kapoor to fairly present his position as to the above-mentioned issues, it is necessary to delay any hearing to determine the questions of Monetary Remedies until after the completion of the Criminal Case.
6. A jury trial in Mr. Kapoor’s Criminal Case is currently scheduled for May 18, 2026 before U.S. District Judge K. Michael Moore, however, the Defendant has requested a continuance. Therefore, in the opinion of undersigned counsel, the delay in the instant matter will not be inordinate.
7. Undersigned counsel has conferred with Russell O’Brien, attorney for the SEC, and he does not oppose this Motion.

WHEREFORE, Defendant, Rishi Kapoor, respectfully requests that this Court grant his Motion for Stay of Briefing and Hearing on Monetary Remedies.

DATED: May 8, 2026

Respectfully submitted,

SHAHADY & WURTENBERGER, P.A.

/s/ Fred A. Schwartz

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Attorneys for Defendant Kapoor

CERTIFICATE OF SERVICE

I hereby certify that, on May 8, 2026, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

By: /s/ Fred A. Schwartz

Fred A. Schwartz

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-24903-CIV-JB

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

RISHI KAPOOR, et al.,

Defendants.

_____ /

**{Proposed} AGREED ORDER ON DEFENDANT RISHI KAPOOR'S UNOPPOSED
MOTION FOR STAY OF BRIEFING AND HEARING ON MONETARY REMEDIES**

THIS CAUSE is before the Court on Defendant Rishi Kapoor's Unopposed Motion to Stay Briefing and Hearing on Monetary Remedies, and the Court, being otherwise duly advised it is hereby,

ORDERED AND ADJUDGED that the Motion is **GRANTED**. This Court will not require briefing or schedule a hearing on the issue of monetary remedies in this cause until the conclusion of Mr. Kapoor's criminal case, *USA v. Kapoor*, No.: 26-cr-20073-KMM (S.D. Fla. filed March 3, 2026), at which time the parties shall jointly file a proposed briefing schedule with the Court.

DONE AND ORDERED in Chambers in Miami, Florida, this ____ day of May, 2026.

HONORABLE JACQUELINE BECERRA
United States District Judge

Copies to:

Counsel of record