

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

GRAYSCALE INVESTMENTS, LLC,

Petitioner,

v.

SECURITIES AND EXCHANGE
COMMISSION,

Respondent.

Case No. 22-1142

STATEMENT OF INTENT TO UTILIZE DEFERRED JOINT APPENDIX

Pursuant to this Court's Order dated July 1, 2022, Federal Rule of Appellate Procedure 30(c), and Circuit Rule 30(c), counsel for Petitioner Grayscale Investments, LLC state that they have conferred with counsel for Respondent and hereby certify that all parties consent to utilize the deferred appendix option in this case.

Dated: August 1, 2022

Respectfully submitted,

/s/ Donald B. Verrilli, Jr.

Donald B. Verrilli, Jr.

Elaine J. Goldenberg

Sarah Weiner*

MUNGER, TOLLES & OLSON LLP

601 Massachusetts Ave. NW, Suite 500E

Washington, DC 20001-5369

Telephone: (202) 220-1100

Email: Donald.Verrilli@mto.com

*Admitted in New York only; Practicing under the supervision of District of Columbia Bar members

Paul S. Mishkin

DAVIS POLK & WARDWELL LLP

450 Lexington Avenue

New York, NY 10017

Telephone: (212) 450-4000

Email: Paul.Mishkin@davispolk.com

Attorneys for Petitioner

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.

Donald B. Verrilli, Jr.
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Ave. NW, Suite 500E
Washington, DC 20001-5369
Telephone: (202) 220-1100
Email: Donald.Verrilli@mtto.com