

No. 23-1870

**IN THE  
UNITED STATES COURTS OF APPEALS  
FOR THE SEVENTH CIRCUIT**

SECURITIES AND EXCHANGE	)	
COMMISSION, <i>et al.</i>	)	
	)	
Plaintiff-Appellee,	)	Appeal from
	)	The United States District Court
	)	for the Northern District of Illinois
v.	)	
	)	
EQUITYBUILD, INC.,	)	No. 1:18-cv-05587
	)	The Honorable Manish S. Shah
Defendant,	)	
	)	
APPEAL OF: BC57, LLC	)	

**CORRECTED JOINT MOTION TO EXTEND DEADLINE TO FILE RESPONSIVE BRIEF BY 28 DAYS AND SET DEADLINE FOR CONSOLIDATED REPLY BRIEF**

The undersigned parties to this appeal, by their respective attorneys, respectfully request that this Court enter an order extending the deadline for Appellee’s brief by 28 days, from July 14, 2023 to August 11, 2023 and setting September 8, 2023 as the deadline for Appellant’s consolidated reply brief. For their motion, the undersigned parties state:

1. This appeal is taken following a May 3, 2023 order of the United States District Court directing Appellee the Receiver, Kevin B. Duff (the “Receiver”), in this receivership to disburse the proceeds being held by the Receiver from the sale of certain real estate assets of the receivership estate, in accordance with the District Court’s February 15, 2023 order determining the priority of claimants’ secured interests in those assets as between Appellant BC57, LLC (“BC57”) and the individual investors (as they are described in the District Court’s February 15, 2023 order).

2. The undersigned parties include the Receiver, BC57, and certain individual investors.

3. BC57 filed this appeal on May 5, 2023 and filed its brief on June 14, 2023.

4. On June 15, 2023, this Court entered an order setting July 14, 2023 as the deadline for Appellees' brief.

5. To accommodate long-scheduled vacations and the demands of other matters, the parties jointly request that the deadline for Appellees' brief be extended by 28 days, from July 14, 2023 to August 11, 2023.

6. The parties further request that the deadline for BC57's consolidated reply brief, which has not yet been set, be set for September 8, 2023.

7. This request is not sought for delay, but in good faith to accommodate the various schedules of counsel for the undersigned parties.

8. In addition to the undersigned parties jointly making this request, counsel for the Securities and Exchange Commission has indicated that the Commission has no objection to this motion.

WHEREFORE, the undersigned parties respectfully request that this Court enter an order:

- (a) extending the deadline for any Appellees to file their responsive brief by 28 days, until August 11, 2023;
- (b) setting the deadline for Appellant to file its consolidated reply brief as September 8, 2023; and
- (c) enter any further relief this Court deems appropriate.

**DATED:** June 23, 2023

Respectfully submitted,

**KEVIN B. DUFF, RECEIVER**

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