

EXHIBIT W

From: Osborne, Sonja <OsborneS@SEC.GOV>
Sent: Tuesday, July 25, 2023 9:35 AM
To: Meyer, Ryan J.
Cc: Caputo, Grace A.; Mallon, Carmen; Tallarico, Mark
Subject: RE: SEC FOIA Appeal Decision - FOIA Appeal No. 23-00488-APPS

EXTERNAL EMAIL – EXERCISE CAUTION

Mr. Ryan,

We are in the consultation process and at this time my best estimate for a date of completion would be September 1, 2023.

Thank you very much for your patience as we work through the process to provide you with a response to your request.

Sonja Osborne

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**U.S. Securities and
Exchange Commission**

From: Tallarico, Mark <tallaricom@SEC.GOV>
Sent: Monday, July 24, 2023 5:14 PM
To: Meyer, Ryan J. <ryan.meyer@katten.com>
Cc: Caputo, Grace A. <grace.caputo@katten.com>; Osborne, Sonja <OsborneS@SEC.GOV>; Mallon, Carmen <mallonc@SEC.GOV>
Subject: RE: SEC FOIA Appeal Decision - FOIA Appeal No. 23-00488-APPS

Ryan,

I wish I could give you a date, but I am not if the FOIA Office and not handling the request. I have included Sonja and Carmen from the FOIA Office on the email string and they can provide you a better estimate on when you can expect a decision. I will be off starting Wednesday and won't return until Friday, August 4th so Sonja and Carmen will be best options to contact.

Mark Tallarico

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**U.S. Securities and
Exchange Commission**

From: Meyer, Ryan J. <ryan.meyer@katten.com>
Sent: Monday, July 24, 2023 3:19 PM
To: Tallarico, Mark <tallaricom@SEC.GOV>
Cc: Caputo, Grace A. <grace.caputo@katten.com>
Subject: RE: SEC FOIA Appeal Decision - FOIA Appeal No. 23-00488-APPS

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Mark,

Thank you for the decision and response.

Can you give me a date certain on what “very soon” is? As you know, the request for these transcripts goes back over a year, and just these two transcripts have been under review since November 1, 2022—266 days for the review of 2 transcripts in an investigation the Commission closed without action. As we discussed, I would like to avoid going to district court over this issue, but this delay is leaving my client without any other choices.

Kind regards,

Ryan

Ryan J. Meyer
Partner

Katten

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From: Tallarico, Mark <tallaricom@SEC.GOV>
Sent: Monday, July 24, 2023 6:16 AM
To: Meyer, Ryan J. <ryan.meyer@katten.com>
Subject: SEC FOIA Appeal Decision - FOIA Appeal No. 23-00488-APPS

EXTERNAL EMAIL – EXERCISE CAUTION

Ryan,

Attached please find the SEC’s appeal decision for FOIA Appeal No. 23-00488-APPS (Request No. 23-00207-FOIA). Please let me know if you have any questions concerning this decision. Furthermore, I spoke with staff on Friday concerning the processing. They are working with ENF staff to complete the review of the transcripts and it is anticipated that the response should be complete very soon.

Thank you.

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**U.S. Securities and
Exchange Commission**

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