

No. 22-

IN THE
Supreme Court of the United States

RANDALL S. GOULDING,
Applicant/Petitioner,

v.

SECURITIES AND EXCHANGE COMMISSION,
Respondent.

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT
OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE SEVENTH CIRCUIT**

To the Honorable Justice Amy Coney Barrett:

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Randall S. Goulding, respectfully requests a 45-day extension of time to file a petition for writ of certiorari up to and including Friday, January 20, 2023. Unless extended, the deadline for Mr. Goulding to file a petition for writ of certiorari will expire on December 6, 2022. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for writ of certiorari.

OPINION FOR WHICH REVIEW IS SOUGHT

The Seventh Circuit's opinion for which review is sought is *SEC v. Goulding*, 40 F.4th 558 (7th Cir. 2022) (attached as Exhibit 1). Concurrent with the opinion, the Seventh Circuit entered a final judgment (attached as Exhibit 2). The Seventh

Circuit denied Mr. Goulding's petition for rehearing and rehearing en banc on September 7, 2022 (attached as Exhibit 3).

This case presents significant questions regarding the equitable remedy of disgorgement in cease-and-desist actions brought by the Securities and Exchange Commission in federal district courts. Specifically, the case involves the Seventh Circuit's misapplication of this Court's decision in *Liu v. SEC*, --- U.S. ----, 140 S. Ct. 1936 (2020), regarding the conditions under which a district court may award disgorgement to the SEC and the appropriate manner for determining the amount of disgorgement.

JURISDICTION

This Court will have jurisdiction over any timely filed petition for writ of certiorari in this case pursuant to 28 U.S.C. § 1254(1).

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully submits that a 45-day extension of time to file the petition for writ of certiorari is necessary because counsel of record was retained only on Friday, November 18, 2022. Applicant respectfully requests the extension so that counsel of record may prepare an appropriate petition regarding the significant issues presented by this case.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 45 days, up to and including January 20, 2023, within which to file a petition for writ of certiorari.

Respectfully submitted,

/s/ Bradley J. Bondi

BRADLEY J. BONDI

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