

No. 23A_____

In The
Supreme Court of the United States

Shalini Ahmed,

Applicant,

v.

Securities & Exchange Commission,

Respondent.

APPLICATION TO EXTEND TIME TO
FILE PETITION FOR A WRIT OF CERTIORARI

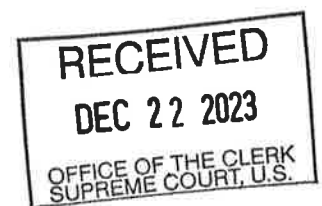


TABLE OF AUTHORITIES

Page(s)

Cases

Liu v. SEC, 140 S. Ct. 1936 (2020) 1, 2

Statutes

28 U.S.C. § 1254(1) 1

Rules and Regulations

S. Ct. R. 13.5 1

S. Ct. R. 30.2 1

S. Ct. R. 30.3 1

To the Honorable Justice Sonia Sotomayor, as Circuit Justice for the United States Court of Appeals for the Second Circuit:

Pursuant to Rules 13.5 and 30.3 of this Court, *pro se* Applicant Ms. Shalini Ahmed respectfully requests that the time for relief defendants¹ to file a Petition for a Writ of Certiorari be extended sixty days, from January 10, 2024, to and including March 11, 2024. The court of appeals entered its judgment on June 28, 2023 (see Appendix A), and denied Applicant's timely petition for rehearing *en banc* on October 12, 2023 (see Appendix B), placing the current due date for a petition for a writ of certiorari at January 10, 2024. This application is being filed at least ten days before that date. See S. Ct. R. 13.5, 30.2. This Court would have jurisdiction pursuant to 28 U.S.C. § 1254(1).

1. This case presents substantial and important questions of federal securities law regarding, among other things, (i) whether equitable principles as held by this Court in *Liu v. SEC*, 140 S. Ct. 1936 (2020) instruct that assets unilaterally seized by the alleged victim for the same alleged conduct should offset disgorgement in a Securities and Exchange Commission (SEC) judgment and (ii) whether the district court's nominee analysis on three discrete relief defendant assets was legally sufficient to satisfy the requirements of the nominee doctrine such that these three assets can be disgorged as equitably belonging to the Defendant and used for the satisfaction of Defendant's judgment.

¹The extension of time to file a petition for writ of certiorari is being sought for the relief defendants as named *infra*.

2. Below, the Second Circuit held that assets unilaterally seized by the alleged victim, despite holding significant value and seized for the same alleged conduct as in this case, could not offset disgorgement, and that even *one* finding made by the district court was legally sufficient to deem three relief defendant assets as nominees and equitably owned by the Defendant. This (i) transformed disgorgement into a punitive remedy, conflicting with this Court's holding in *Liu v. SEC*, 140 S. Ct. 1936 (2020), and (ii) created a circuit split on the legal sufficiency required to satisfy the nominee doctrine.

3. There is good reason for the Court to grant this request for extension of time. All of the relief defendants' assets have been frozen by district court order at the SEC's request since 2015 and continue to remain frozen. The Applicant has sought a release of \$100,000 from the asset freeze of \$120 million (above the judgment (disgorgement, prejudgment interest and civil penalty) amount of \$94.9 million) to retain counsel to address the complex legal issues present in this case and for preparing a complete and concise petition to this Court. That request for funds is still pending in the district court as of the date of this motion. That delay will make preparation of a complete and concise petition by January 10, 2024 (the current deadline) difficult absent an extension of time. At a December 1, 2023 hearing on, *inter alia*, the request for release of these funds, the district court suggested that Applicant request an extension of time from this Court to file a petition.

4. This Application for extension of time to file a petition for writ of certiorari is for the relief defendants: (1) Shalini Ahmed; (2) I.I. 1, a minor child, by

and through his next friends Iftikar and Shalini Ahmed, his parents; (3) I.I. 2, a minor child, by and through his next friends Iftikar and Shalini Ahmed, his parents; (4) I.I. 3, a minor child, by and through his next friends Iftikar and Shalini Ahmed, his parents; (5) I-Cubed Domains, LLC; (6) Shalini Ahmed 2014 Grantor Retained Annuity Trust; (7) Diya Holdings, LLC; (8) Diya Real Holdings, LLC (collectively, “relief defendants”).

Accordingly, Applicant respectfully requests that an order be entered extending the time for relief defendants to file a petition for a writ of certiorari for 60 days, up to and including March 11, 2024.

Dated: December 20, 2023

Respectfully Submitted,

By: /s/ Shalini Ahmed

Shalini Ahmed
505 North Street
Greenwich, CT 06830
Tel: 646-309-8110
Email: shalini.ahmed@me.com
Pro Se