

**IN THE SUPREME COURT
OF THE STATE OF NEVADA**

MICHAEL PATRICK LATHIGEE,

Appellant,

v.

BRITISH COLUMBIA SECURITIES
COMMISSION,

Respondent.

Electronically Filed
Jul 14 2020 11:15 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court Case No. 78833

Dist. Court Case No. A-18-771407-C

RESPONDENT'S RESPONSE TO APPELLANT'S RESPONSE

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Pursuant to NRAP 31(e), the British Columbia Securities Commission (the “Commission”) filed its Notice of Supplemental Authority on July 2, 2020. Appellant Michael Patrick Lathigee (“Mr. Lathigee”) filed his response on July 7, 2020. Mr. Lathigee’s response is characterized as a “Motion” on the Court’s docket sheet. This may be an error as Mr. Lathigee’s response does not seek any form of affirmative relief, and therefore the filing should be characterized as a brief. Out of an abundance of caution, the Commission treats it as a motion and responds accordingly.

The Commission’s Notice of Supplemental Authority only contains a summary of *Liu v. Securities and Exchange Commission*, 2020 WL 3805845, 591 U.S. ____ (2020) (slip op.). The Commission has complied with NRAP 31(e), and therefore, to the extent the Court treats Mr. Lathigee’s filing as a motion, it should be denied.

Mr. Lathigee argues that the Commission failed to establish that he personally received funds from investors. (Appellant’s Response, pp. 1 – 2). That argument is specifically addressed at pages 38 and 39 of the Commission’s Answering Brief.

Date: July 14, 2020

NAYLOR & BRASTER

By: /s/ John M. Naylor
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Naylor & Braster and that on the 14th day of July 2020, I electronically filed and served a true and correct copy of the above and foregoing **RESPONDENT'S RESPONSE TO APPELLANT'S RESPONSE** as follows:

[X] by depositing same for mailing in the United States Mail, in a sealed envelope addressed to:

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