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11
12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**
14

15 AMERIPRISE FINANCIAL
SERVICES, LLC,
16
17 Plaintiff,
18 v.
19 LPL FINANCIAL LLC,
20 Defendant.

Case No. 24-cv-01333-JO-MSB
**PLAINTIFF AMERIPRISE
FINANCIAL SERVICES, LLC'S
OPPOSITION TO UNNAMED
ADVISORS' MOTION TO REOPEN
CASE AND INTERVENE AND
MEMORANDUM IN OPPOSITION**

Judge: Hon. Jinsook Ohta
Courtroom: 4C
Complaint Filed: April 14, 2025

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1 Plaintiff Ameriprise Financial Services, LLC (“Ameriprise”) hereby files this
2 Opposition to Unnamed Advisors Motion to Reopen Case and Intervene (Dkt. 60; the
3 “Motion” or “Motion to Intervene”).¹

4 **I. INTRODUCTION**

5 A group of unnamed LPL advisors (each an Individual Respondent in the
6 underlying FINRA matter) (hereinafter the “Anonymous Advisors”) come to this
7 Court seeking to reopen and intervene in a case which has been settled and
8 administratively closed since December of 2024. They do so based upon false bases
9 and untenable arguments.

10 By way of brief background, this case centers around Defendant LPL
11 Financial, LLC’s (“Defendant” or “LPL”) unlawful use of a spreadsheet called the
12 “Bulk Upload Tool” to misappropriate Ameriprise’s confidential client information
13 *en masse* through thirty advisors it recruited from Ameriprise, including the 10
14 Anonymous Advisors who seek to intervene here. The Bulk Upload Tool contained
15 columns that the recruits populated with up to 187 categories of confidential, private
16 client information including social security numbers, dates of birth, account
17 numbers, account values, net worth, and other sensitive personally identifiable
18 information. LPL and its advisors’ misconduct impacted at least 4,500 individuals.²
19 Some of this Ameriprise confidential client information *still* resides on the systems
20 and devices of LPL and its advisors. LPL initially refused to rectify the
21 misappropriation, thus necessitating the instant litigation. Eventually, LPL was
22 forced to admit to its wrongdoing and identify the advisors who misappropriated the
23

24 ¹ Though not addressed herein, as the Court has not yet allowed the moving
25 nonparties to intervene, Ameriprise submits to the Court that the nonparties’
26 proposed Motion To Stay (Dkt. 60-1) is plainly futile and destined to fail. However,
27 should the Court allow the nonparties to intervene, Ameriprise respectfully requests
28 an opportunity to respond to the Motion to Stay.

² This number is taken from the completed Bulk Upload Tools LPL was required to
turn over to Ameriprise pursuant to paragraph 6 of the Stipulated Order.

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1 Ameriprise confidential client information. *See* Dkt. 35-2. After this Court noted it
2 would use a “blunt instrument” if LPL did not work with Ameriprise to create a
3 “fine-tuned and tailored” solution, LPL and Ameriprise reached a “Stipulated
4 Order.” Dkt. 53. However, LPL has since refused to uphold the Stipulated Order.
5 Now, LPL’s agents, the Anonymous Advisors, are here to “intervene,” attempting to
6 undermine the Stipulated Order and to prevent Ameriprise from protecting its
7 clients’ confidential, private, and sensitive information.

8 The Anonymous Advisors seeking to intervene in this case are bold indeed to
9 file an *ex parte* motion with their names redacted, with no legitimate basis for the *ex*
10 *parte* status nor the redaction, more than five months after this Court entered the
11 parties’ reasonable Stipulated Order (Dkt. 53). This represents yet another tactic,
12 coordinated by LPL and the Anonymous Advisors, to either delay or disrupt the
13 parties’ original agreement.³

14 However, the Anonymous Advisors’ *Ex Parte* Motion to Reopen Case and
15 Intervene (“Motion”) fails as matter of law because it does not even allege that the
16 Anonymous Advisors have standing, which is a threshold requirement for
17 intervention as of right under to FRCP 24(a)(2). *See Town of Chester, N.Y. v. Laroe*
18 *Estates, Inc.*, 581 U.S. 433 (2017) (holding that intervenor as a right must have
19 Article III standing to pursue relief that is different from the relief sought by the
20 original party). In any event, even if the Anonymous Advisors do have standing,
21 which Ameriprise contests, the Anonymous Advisors fail to meet the heavy burden
22 required to intervene. The Anonymous Advisors have likely known about this
23 underlying case for nearly 10 months now and of course have known about the

24 _____
25 ³ The Anonymous Advisors’ brazen activity does not stop there. This Court ordered
26 the parties and nonparties to meet and confer on issues raised in the Motion to
27 Intervene and subsequently submit a joint status report. While Ameriprise agreed to
28 a simple joint status report signed by Ameriprise, LPL, and the Anonymous
Advisors, the Anonymous Advisors separately filed their own status report, absent
approval from the Court and despite not even being appropriately before the Court.

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1 Stipulated Order itself since (or within days of) this Court’s entry of same on
2 December 12, 2024.⁴ The Anonymous Advisors’ application is, among other things,
3 extremely untimely, which warrants its denial.

4 The Court should not be swayed by the Anonymous Advisors’ hyperbolic
5 “woe is me” approach. The Anonymous Advisors and their interests have been
6 adequately represented by LPL, their affiliate, and the Anonymous Advisors have
7 been coordinating with LPL for months. LPL is entitled to—and did indeed—bind
8 itself and its agents through the Stipulated Order. Moreover, LPL clearly has the
9 requisite “control” over any business-related content on the devices at issue on
10 which the Anonymous Advisors transmitted and stored the Ameriprise confidential
11 information, including personal devices—in fact, is it required to have such control
12 pursuant to various industry regulations and has previously demonstrated such
13 control. *See, e.g.*, LPL Code of Conduct at 27 (LPL’s own Code of Conduct
14 prohibits its registered representatives from transmitting confidential information “to
15 personal email accounts or any external file or storage device.”) (*Exhibit A*); LPL
16 Registered Representative Agreement at §7(f) (LPL registered Representatives agree
17 “to cooperate fully with counsel to LPL in any arbitration, litigation, regulatory, or
18 corporate inquiry, matter, investigation, customer complaint or proceeding.”)
19 (*Exhibit B*).

20 Moreover, LPL is required to have such control pursuant to various industry
21 regulations and has previously demonstrated this control over the advisors’ devices.
22 *See In re LPL Financial LLC*, Order Instituting Administrative And Cease-And-
23 Desist Proceedings, Pursuant To Sections 15(B) And 21c Of The Securities
24 Exchange Act Of 1934 And Sections 203(E) and 203(K) Of The Investment
25 Advisers Act Of 1940, Making Findings, And Imposing Remedial Sanctions And A
26 Cease-And-Desist Order, Securities Act Release No. 100709, Investment Advisors
27

28 ⁴ As previously represented by LPL’s counsel on December 23, 2024.

1 Act Release No. 6658, Administrative Proceeding File No. 3-22006 (August 14,
2 2024) at ¶18 (*Exhibit C*). The Stipulated Order mirrors the process LPL underwent
3 in this SEC proceeding to collect and image their registered representatives’ devices.
4 LPL was—and is—thus empowered to cause the individual advisors to follow the
5 Stipulated Order, as it has done before.

6 Further, and importantly, the Anonymous Advisors do not bring anything new
7 to this case; as the Court knows, the Anonymous Advisors possess sensitive
8 customer and non-customer information taken from Ameriprise on their unsecured
9 and unreviewed personal devices and repositories, which they are not authorized to
10 have by either law or by contract. They have no legitimate interest in keeping that
11 information—particularly on such unsecured devices, as the Court noted: “I do see
12 these massive third-party privacy concerns that do have irreparable harm to these
13 individuals.” Transcript of Hearing on Mot. for Preliminary Injunction at 20:24-25.
14 The Court also stated: “I wouldn't want my social security number or the holdings I
15 have in certain companies and what trade decisions that I've made out there.”
16 Transcript of Hearing on Mot. for Preliminary Injunction at 13:7-9.

17 Nothing has changed. The Anonymous Advisors are not being asked to “hand
18 over their personal property.”⁵ Instead, as the parties contemplated, the Anonymous
19 Advisors are being ordered to allow an independent third-party forensic examiner, to
20 access their devices and repositories (which can be done remotely) to perform a
21 narrow search of those devices and repositories with the purpose of identifying,
22 preserving, and permanently deleting customer and non-customer sensitive
23 information taken from Ameriprise that is not supposed to be on those unsecured
24 devices. This is not an invasion of privacy—this noninvasive process in fact furthers
25 the privacy interests of thousands of individuals, many of whom are not even current
26 customers of LPL and whose sensitive information still resides on the Anonymous
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28 ⁵ See Motion (Dkt. 60), at 2.

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1 Advisors’ unsecured personal devices. Importantly, all of the information the
2 advisors need to service their customers is on the secured systems of LPL.

3 Interestingly, the Anonymous Advisors now assert that FINRA is the
4 exclusive forum for any of these types of disputes.⁶ This argument is incorrect—the
5 FINRA Rules expressly permit the injunctive relief sought and obtained in this
6 matter. *See* FINRA Rule 13804. In fact, one of the non-moving⁷ advisors filed a
7 separate case in New York state court to argue to that court that their case did not
8 belong in FINRA arbitration. *See Bonevento v. Ameriprise Fin. Servs., LLC*, Index
9 No. 651680/2025 (Sup. Ct., N.Y. Co., Apr. 21, 2025) (denying petition).⁸

10 It appears that LPL is coordinating with the Anonymous Advisors through
11 this Motion to undermine the Stipulated Order to which it agreed. LPL did not
12 oppose the Anonymous Advisors’ Motion,⁹ despite the fact that LPL agreed to this
13 relief months ago and consistently assured Ameriprise that it would secure its
14 registered representatives’ cooperation and compliance with the Stipulated Order.

15 This Court has already heard and read substantive argument on whether these
16 Anonymous Advisors were allowed to take all of the information they took—which
17 in most cases includes over 150 categories of sensitive information for individuals
18 who did not authorize such information to be taken from Ameriprise (nor did the
19 Anonymous Advisors’ contracts with Ameriprise authorize such taking, use, or
20 disclosure). Ameriprise will not re-brief that substantive issue here, but it
21 incorporates by reference its prior arguments on this matter.¹⁰ This Court has already
22

23 ⁶ *See id.*

24 ⁷ These non-moving advisors attempted to intervene in the related case (Case No.
25 25-cv-0880-JO-MSB) and have stated their intent to intervene in this matter as well,
26 despite their contrary arguments before the Supreme Court in New York.

26 ⁸ *See* attached as **Exhibit D**.

27 ⁹ *See id.* at Dkt. 60 page 2 of 18 (“Counsel for LPL stated that LPL is not opposed to
28 this motion.”).

¹⁰ *See* Generally Dkt. 15-1 and 39.

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1 determined that the Anonymous Advisors should not continue to possess private,
2 sensitive, confidential information belonging to customers and non-customers on
3 their unsecured personal devices and repositories. The Anonymous Advisors
4 complain that Ameriprise is attempting to obtain “free discovery.” Not so.
5 Ameriprise simply seeks to have its own confidential client information removed
6 from the Anonymous Advisors’ unsecured personal devices and have that
7 information forensically preserved pursuant to the litigation hold in place, both to
8 ensure compliance with the Stipulated Order and to uphold Ameriprise’s privacy
9 obligations.

10 Below, Ameriprise details the several reasons why the Anonymous Advisors
11 fail to meet their heavy burden and why this Court should deny the Motion.

12 **II. ANALYSIS & ARGUMENT**

13 **A. Legal Standard**

14 The Anonymous Advisors provide the Court with an incomplete recital of the
15 relevant legal standard. The Ninth Circuit does indeed employ a four-part test to
16 determine whether intervention as a right can be considered by the Court:

- 17 (1) [T]he motion must be timely; (2) the applicant must claim a
18 significantly protectable interest relating to the property or transaction
19 which is the subject of the action; (3) the applicant must be so situated
20 that the disposition of the action may as a practical matter impair or
21 impede its ability to protect that interest; and (4) the applicant’s interest
22 must be inadequately represented by the parties to the action.
23
24

25 *Wilderness Soc’y v. U.S. Forest Serv.*, 630 F.3d 1173, 1177 (9th Cir. 2011).
26 However, and importantly, the Ninth Circuit is also clear that a movant’s “[f]ailure
27 to satisfy any one of the requirements is fatal to the application,” and the Court
28

1 “need not reach the remaining elements if one of the elements is not satisfied.”
2 *Perry v. Proposition 8 Off. Proponents*, 587 F.3d 947, 950 (9th Cir. 2009).

3 In this case, movants do not carry their burden on any of the four elements, as
4 described below.

5 B. The Motion Is Not Timely

6 The Anonymous Advisors’ Motion fails on the very first element: timeliness.
7 The Ninth Circuit considers three criteria in determining whether a motion to
8 intervene is timely: (1) the stage of the proceedings; (2) whether the parties would
9 be prejudiced; and (3) the reason for any delay in moving to intervene. *Nw. Forest*
10 *Res. Council v. Glickman*, 82 F.3d 825, 836–37 (9th Cir. 1996), *as amended on*
11 *denial of reh'g* (May 30, 1996) (citing *United States v. Oregon*, 913 F.2d 576, 588
12 (9th Cir.1990), *cert. denied*, 501 U.S. 1250, 111 S. Ct. 2889, 115 L.Ed.2d 1054
13 (1991)).

14 Regarding the stage of the proceedings, this case was administratively closed
15 last calendar year. There can be no legitimate argument that the Anonymous
16 Advisors did not significantly delay.

17 Next, Anonymous Advisors boldly assert that their intervention “works no
18 prejudice to the other parties.”¹¹ As this Court knows, the Stipulated Order agreed to
19 by the parties was the end-result of five months’ worth of expensive and time-
20 consuming litigation and, at the direction of this Court, substantial negotiation in
21 lieu of Ameriprise pursuing its motion for preliminary injunction. To undo the
22 Stipulated Order works a grave prejudice upon the individuals whose information is
23 improperly stored on personal devices and repositories, not to mention the efforts
24 and resources expended to reach the entry of the Stipulated Order. The Stipulated
25 Order contemplated that the parties would move promptly to take appropriate and
26 reasonable steps to remove confidential client data from devices on which it should
27

28 ¹¹ See Motion (Dkt. 60), at 7.

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1 not have been in the first place.

2 Even where a case is in its infancy, if the “proposed intervenors' additional
3 claims would prejudice the original parties' ability to pursue and defend the existing
4 claims in the action” federal courts in California will deny such applications to
5 intervene. *See Lilith Games (Shanghai) Co., Ltd. v. uCool, Inc.*, 2015 WL 4914694,
6 at *4 (N.D. Cal. Aug. 17, 2015).

7 Finally, there was no legitimate reason for the Anonymous Advisors to have
8 delayed so long. Ameriprise filed its lawsuit in this Court on July 30, 2024. The
9 lawsuit was rapidly addressed by various industry trade journals. After reaching an
10 initial agreement before this Court, LPL was required to identify the Bulk Upload
11 Tool users and did so on October 22, 2024. On November 15, counsel for LPL,
12 Cheryl Haas, certified that LPL had been in contact with the individuals identified
13 (including the Anonymous Advisors) and would reach out to them consistent with
14 the litigation hold directive.¹² On December 12, 2024, LPL and Ameriprise reached
15 an agreement on the Stipulated Order, which was entered by this Court. Ameriprise
16 requested, and LPL confirmed multiple times, that it was in direct contact with the
17 relevant advisors (or their counsel) regarding their obligations pursuant to the
18 Stipulated Order.¹³ On December 31, 2024, Ameriprise amended its FINRA
19 Statement of Claim to specifically include and name all of the advisors implicated,
20 which includes all of the Anonymous Advisors, and attached the Stipulated Order
21 thereto.¹⁴ Many of the advisors already had counsel, and their counsel surfaced
22 within a matter of days of the filing.¹⁵

23 Accordingly, the Anonymous Advisors were on notice of the Stipulated Order
24 likely as early as its entry on or around December 12, 2024, and certainly no later
25

26 ¹² *See* attached as **Exhibit E**.

27 ¹³ *See* Declaration of Michael S. Taaffe, at para 10.

28 ¹⁴ *See id.*, at para 11.

¹⁵ *See id.*

1 than December 31, 2024, when they were named in the FINRA case.

2 However, the Anonymous Advisors did not seek to intervene until May 7,
3 2025, 146 days after entry of the stipulated injunction—nearly 5 full months.
4 Indeed, as this Court knows, counsel for some of the advisors, as early as March 18
5 wrote formal letters to Ameriprise indicating they were not bound by the Stipulated
6 Order. In their Motion, the Anonymous Advisors claim that their “undersigned
7 counsel was not retained until late April.”¹⁶ But they had counsel prior to the
8 undersigned counsel, upon information and belief, as early as the first week of
9 January.

10 The Ninth Circuit has held that a similar delay in time was fatal to an
11 application to intervene. In *Chevron Env't Mgmt. Co. v. Env't Prot. Corp.*, No. 20-
12 16206, 2022 WL 10966098, at *2 (9th Cir. Oct. 19, 2022), the court reviewed an
13 appeal from the District Court for the Eastern District of California, which denied
14 National Union’s motion to intervene. The Ninth Circuit found that although the
15 record clearly showed “that National Union was on notice that EPC would not
16 adequately protect its interests”, because “National Union **did not move to**
17 **intervene until five months after it was put on notice**” the Ninth Circuit affirmed
18 the denial of the motion to intervene as untimely.¹⁷

19 In the instant case, the Anonymous Advisors waited five months after they
20 were on notice of the Stipulated Order, and there is no clear showing that LPL did
21 not adequately represent and protect their interests. Even if there was, the Ninth
22 Circuit held that a 5-month delay is fatal.

23 Therefore, the Anonymous Advisors’ Motion is untimely and should be
24 denied by this Court. As the Ninth circuit has also held: “[f]ailure to satisfy any one
25 of the requirements is fatal to the application, and we need not reach the remaining
26

27 ¹⁶ See Motion (Dkt. 60), at 7.

28 ¹⁷ See *id.* Emphasis added.

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1 elements if one of the elements is not satisfied.” *Perry*, 587 F.3d, at 950.

2 Accordingly, the Court’s analysis can stop here.

3
4 C. Anonymous Advisors Have No Significantly Protectable Interest In The Customer Information On Their Personal Devices

5 The Anonymous Advisors have failed to demonstrate that they have any
6 protectible interest here. The assertions made by the Anonymous Advisors in their
7 Motion are plainly false—they are not being asked to “hand over” their personal
8 devices; instead, the independent forensic examiner offers “mobile device kits” that
9 they will send to the Anonymous Advisors, and the forensic examiner will remotely
10 create forensic images using those kits.¹⁸ The forensic examiner is not looking for
11 family photos—that is a red herring argument.

12 The parties contemplate a narrow search for only customer and non-customer
13 information¹⁹ on these devices, and even then, only on devices (or repositories)
14 which the Anonymous Advisors certify were used to store, access and/or transmit
15 customer and/or non-customer information that was used to populate the Bulk
16 Upload Tool. The Anonymous Advisors do not have a property interest in the
17 sensitive information of others, which includes the sensitive personal data of
18 individuals who are not even their customers, and the process of searching for,
19 preserving, and deleting the information these Anonymous Advisors are not
20 supposed to have is minimally invasive.

21 D. Disposition Of This Matter Does Not Impair Or Impede The Anonymous Advisors’ Abilities To Protect Their Non-Existent Interest In Sensitive Information On Their Personal Devices

22
23 As stated above, the Anonymous Advisors have failed to demonstrate that
24 disposition of this case impairs any ability to protect their interests. The Anonymous
25 Advisors’ interests were sufficiently protected by LPL, their affiliate. All the parties
26

27 _____
¹⁸ See Attached as **Exhibit F**.

28 ¹⁹ As defined in the Stipulated Order.

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1 are trying to do is get the voluminous sensitive information belonging to customers
2 and non-customers off the unsecured personal devices of these Anonymous
3 Advisors. Why are the Anonymous Advisors trying to hard to avoid that? This is a
4 simple process: certify as to what devices and repositories were used to store, access
5 and/or transmit customer and/or non-customer information, including the Bulk
6 Upload Tool, and allow the forensic examiner to access those devices and
7 repositories to make an image of only that information, preserve it for litigation and
8 privacy compliance purposes, and permanently delete it from the Anonymous
9 Advisors' devices.

10 While the Anonymous Advisors, and indeed LPL, dispute whether they were
11 allowed to retain and use all of the information at issue, no party (or nonparty) can
12 legitimately argue that these individuals are allowed to retain such sensitive
13 information on their unsecured personal devices. That is the whole purpose of the
14 Stipulated Order. The Anonymous Advisors' interests are not impaired, nor are they
15 threatened.

16 E. Anonymous Advisors' Interests Were Adequately Represented By LPL

17 LPL has adequately represented the Anonymous Advisors' interests all along.
18 As a threshold, LPL and the Anonymous Advisors have a common interest
19 agreement in place, which inherently represents that LPL is acting with the
20 Anonymous Advisors' interests in mind.

21 Moreover, in September and October of 2024, before Magistrate Berg, LPL
22 insisted upon maintaining the confidentiality of the identities of the Bulk Upload
23 Tool users, requiring draconian protective order language that prohibited Ameriprise
24 from publicly identifying any of the advisors. Later, in the negotiation process to
25 draft the Stipulated Order, LPL insisted upon including language to protect the
26 Anonymous Advisors, to which Ameriprise agreed.

27 As a first example of how the Anonymous Advisors' interests were
28

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1 represented, Ameriprise and LPL agreed in the Stipulated Order to cover the costs of
2 the forensic examination, at no cost to the advisors. Second, the Stipulated Order
3 contemplates that the forensics be limited to a “reasonable review” while the parties
4 take “reasonable steps with the involvement of the advisors’ counsel to protect any
5 personal, confidential, or sensitive information of the advisors.” *see* Stipulated
6 Order, at para 4(a). The parties already took into account protection of the
7 Anonymous Advisors’ personal, confidential, and sensitive information. These are
8 the shared and identical interests of the Anonymous Advisors.

9 Furthermore, LPL is entitled to—and did indeed—bind itself and its agents
10 through the Stipulated Order. Fed. R. Civ. P. 65. LPL clearly has control over these
11 Anonymous Advisors and any business-related content on the unsecure devices on
12 which the Anonymous Advisors accessed, stored, and transmitted the Ameriprise
13 confidential information, including personal devices. *See, e.g.*, LPL Code of
14 Conduct at 27 (LPL’s own Code of Conduct prohibits its registered representatives
15 from transmitting confidential information “to personal email accounts or any
16 external file or storage device.”) (*Exhibit A*); LPL Registered Representative
17 Agreement at §7(f) (LPL registered Representatives agree “to cooperate fully with
18 counsel to LPL in any arbitration, litigation, regulatory, or corporate inquiry, matter,
19 investigation, customer complaint or proceeding.”) (*Exhibit B*). LPL is required to
20 have such control pursuant to various industry regulations and has previously
21 demonstrated this control over the advisors’ devices. *See In re LPL Financial LLC*,
22 Order Instituting Administrative And Cease-And-Desist Proceedings, Pursuant To
23 Sections 15(B) And 21c Of The Securities Exchange Act Of 1934 And Sections
24 203(E) and 203(K) Of The Investment Advisers Act Of 1940, Making Findings,
25 And Imposing Remedial Sanctions And A Cease-And-Desist Order, Securities Act
26 Release No. 100709, Investment Advisors Act Release No. 6658, Administrative
27 Proceeding File No. 3-22006 (August 14, 2024) at ¶18 (*Exhibit C*). The Stipulated
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1 Order mirrors the process LPL underwent in this SEC proceeding to collect and
2 image their registered representatives’ devices. LPL was—and is—thus empowered
3 to bind the advisors with the Stipulated Order, as it has done before, and adequately
4 represented the advisors in that process.

5 Accordingly, the Anonymous Advisors’ Motion fails to meet its burden on
6 this element as well.

7 **F. Permissive Intervention Should Not Be Allowed**

8 Unsurprisingly, Anonymous Advisors’ Motion gives this argument short-
9 shrift. Again, the Anonymous Advisors have no right to possess any of the sensitive
10 information at issue on their unsecured personal devices. This much is self-evident,
11 and it is also reiterated in LPL’s own Code of Conduct. *See supra*, at 3.

12 Even if the Court were to find that Anonymous Advisors have succeeded on
13 all elements, it still has discretion to—and should—deny the Motion. *See Donnelly*
14 *v. Glickman*, 159 F.3d 405, 412 (9th Cir. 1998) (“Even if an applicant satisfies those
15 threshold requirements, the district court has discretion to deny permissive
16 intervention.”).

17
18 **III. CONCLUSION**

19 Anonymous Advisors do not set forth any reasonable basis to reopen this case
20 or to intervene in this matter. Thus, this Court should deny Anonymous Advisors’
21 Motion to Intervene (Dkt. 60).

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SHUMAKER, LOOP & KENDRICK, LLP

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DATED: May 28, 2025

By: s/ Michael S. Taaffe
Michael S. Taaffe
Attorneys for Plaintiff AMERIPRISE
FINANCIAL SERVICES, LLC

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CERTIFICATE OF SERVICE

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I hereby certify that on May 28, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

s/ Michael S. Taaffe

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