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22 **UNITED STATES DISTRICT COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA**
24 **SAN FRANCISCO DIVISION**

25 **FEDERAL TRADE COMMISSION,**

26 Plaintiff,

27 v.

28 **MICROSOFT CORP.**

and

ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-2880-JSC

**DECLARATION IN SUPPORT OF
PLAINTIFF FEDERAL TRADE
COMMISSION'S NOTICE OF INTENT
TO OPPOSE DEFENDANTS' MOTION
FOR EXPEDITED CASE
MANAGEMENT CONFERENCE**

DECLARATION OF JENNIFER FLEURY

I, Jennifer Fleury, declare as follows:

1. I am one of the attorneys representing Plaintiff Federal Trade Commission (the “FTC” or “Commission”) in the above-captioned action against Defendants Microsoft Corporation (“Microsoft”) and Activision Blizzard, Inc. (“Activision”).

2. I submit this declaration in support of the FTC’s Notice of Intent to Oppose Defendants’ Motion for Expedited Case Management Conference.

3. Attached as Exhibit A is a true and correct copy of Defendants’ draft joint motion for an expedited case management conference as sent to the FTC on June 13, 2023, along with related correspondence.

4. Attached as Exhibit B is a true and correct copy of email correspondence between the FTC and Defendants dated June 13, 2023.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 14, 2023.

/s/ Jennifer Fleury
Jennifer Fleury

FILER’S ATTESTATION

I, James H. Weingarten, am the ECF User whose ID and password are being used to file this Declaration of Jennifer Fleury. In compliance with Civil Local Rule 5-1(h), I hereby attest that concurrence in the filing of this document has been obtained from the signatory.

By: /s/James H. Weingarten
James H. Weingarten