

**FILED**

**MAR - 4 2005**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)
	)
FEDERAL TRADE COMMISSION,	)
	)
Plaintiff,	)
	)
v.	)
	)
BLOCKBUSTER, INC.,	)
	)
Defendant.	)
_____	)

<b>CASE NUMBER:</b> 1:05CV00463
<b>JUDGE:</b> Ellen Segal Huvelle
<b>DECK TYPE:</b> Antitrust
<b>DATE STAMP:</b> 03/04/2005

**MOTION FOR ORDER PURSUANT TO SECTION 7A(g)(2) OF THE CLAYTON ACT  
AND SECTION 13(b) OF THE FEDERAL TRADE COMMISSION ACT**

Plaintiff, the Federal Trade Commission ("FTC" or "Commission"), by its designated attorneys moves the Court, pursuant to Section 7A(g)(2) of the Clayton Act and Section 13(b) of the Federal Trade Commission Act for an Order enjoining the acquisition by Blockbuster, Inc. ("Blockbuster") of any interest in Hollywood Entertainment Corporation ("Hollywood"), until an appropriate time after Blockbuster has substantially complied with the premerger notification reporting requirements set forth in Section 7A of the Clayton Act. The Commission does not seek a ruling or relief at this time going to the merits of whether the proposed acquisition violates the antitrust laws.

An Order pursuant to Section 7A(g)(2) enjoining the proposed acquisition until Blockbuster complies with the premerger reporting requirements and observes an appropriate waiting period is needed so that the Commission can obtain and analyze the data and documents necessary to evaluate and determine whether the proposed acquisition will violate Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, and Section 7 of the Clayton Act, 15 U.S.C.

§ 18, and if appropriate, to seek temporary relief for any substantial lessening of competition in the appropriate district court or permanent relief in an administrative adjudication of the merits. Unless an Order pursuant to Section 7A(g)(2) is issued, Blockbuster has indicated that it may begin acquiring shares of Hollywood on March 11, 2005.

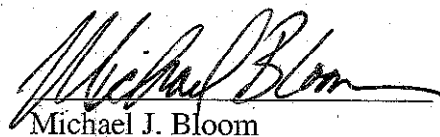
This motion is supported by a statement of points and authorities filed herewith.

The Commission respectfully requests the opportunity to present oral argument in support of this motion.

Respectfully submitted,

John D. Graubert (DC Bar # 370670)  
Acting General Counsel

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Director



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March 4, 2005