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TYPE-A

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-02886-FYP**

UNITED STATES OF AMERICA v. BERTELSMANN SE & CO. KGAA et al
Assigned to: Judge Florence Y. Pan
Cause: 15:1 Antitrust Litigation

Date Filed: 11/02/2021
Jury Demand: None
Nature of Suit: 410 Anti-Trust
Jurisdiction: U.S. Government Plaintiff

Plaintiff

UNITED STATES OF AMERICA

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V.

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LEAD ATTORNEY
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Jonathan D. Hacker
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Date Filed	#	Docket Text
11/02/2021	<u>1</u>	COMPLAINT against All Defendants (Fee Status:Filing Fee Waived) filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Licht, Sarah) (Entered: 11/02/2021)
11/02/2021		NOTICE OF ERROR re <u>1</u> Complaint; emailed to sarah.licht@usdoj.gov, cc'd 7 associated attorneys -- The PDF file you docketed contained errors: 1. No signature. Please file the signed document using the event Errata. All filings must have an original signature or '/s/ Attorney Name' to represent an electronic signature of the filer., 2. Signature on complaint and civil cover sheet does not match e-filer., 3. COMPLIANCE DEADLINE is by close of business today. This case will not proceed any further until all errors are satisfied. (zsb,) (Entered: 11/02/2021)

11/02/2021	2	ERRATA by UNITED STATES OF AMERICA re 1 Complaint filed by UNITED STATES OF AMERICA. (Attachments: # 1 Civil Cover Sheet)(Read, John) (Entered: 11/02/2021)
11/04/2021		Case Assigned to Judge Florence Y. Pan. (zsb) (Entered: 11/04/2021)
11/04/2021	3	SUMMONS (4) Issued Electronically as to BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC, SIMON & SCHUSTER, INC., VIACOMCBS INC.. (Attachments: # 1 Notice and Consent)(adh,) (Entered: 11/04/2021)
11/08/2021	4	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Florence Y. Pan on 11/8/21. (lcaa) (Entered: 11/08/2021)
11/08/2021	5	NOTICE of Appearance by Ryan A. Shores on behalf of SIMON & SCHUSTER, INC., VIACOMCBS INC. (Shores, Ryan) (Entered: 11/08/2021)
11/08/2021	6	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by VIACOMCBS INC. (Shores, Ryan) (Entered: 11/08/2021)
11/08/2021	7	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by SIMON & SCHUSTER, INC. (Shores, Ryan) (Entered: 11/08/2021)
11/08/2021	8	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Stephen R. Fishbein, Filing fee \$ 100, receipt number ADCDC-8853344. Fee Status: Fee Paid. by SIMON & SCHUSTER, INC., VIACOMCBS INC.. (Attachments: # 1 Declaration, # 2 Proposed Order)(Shores, Ryan) (Entered: 11/08/2021)
11/08/2021	9	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jessica K. Delbaum, Filing fee \$ 100, receipt number ADCDC-8853346. Fee Status: Fee Paid. by SIMON & SCHUSTER, INC., VIACOMCBS INC.. (Attachments: # 1 Declaration, # 2 Proposed Order)(Shores, Ryan) (Entered: 11/08/2021)
11/09/2021		MINUTE ORDER granting 8 Motion for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Stephen R. Fishbein is admitted pro hac vice in this matter as counsel for Defendants ViacomCBS Inc. and Simon & Schuster, Inc. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/9/21. (lcaa) Modified to add "minute" on 11/9/2021 (znmw). (Entered: 11/09/2021)
11/09/2021		MINUTE ORDER granting 9 Motion for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Jessica K. Delbaum is admitted pro hac vice in this matter as counsel for Defendants ViacomCBS Inc. and Simon & Schuster, Inc. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/9/21. (lcaa) Modified to add "minute" on 11/9/2021 (znmw). (Entered: 11/09/2021)
11/09/2021	10	NOTICE of Appearance by Stephen Fishbein on behalf of SIMON & SCHUSTER, INC., VIACOMCBS INC. (Fishbein, Stephen) (Entered: 11/09/2021)
11/09/2021	11	NOTICE of Appearance by Jessica Delbaum on behalf of SIMON & SCHUSTER, INC., VIACOMCBS INC. (Delbaum, Jessica) (Entered: 11/09/2021)
11/10/2021	12	NOTICE of Appearance by Courtney B. Dyer on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Dyer, Courtney) (Entered: 11/10/2021)
11/10/2021	13	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BERTELSMANN SE & CO. KGAA (Dyer, Courtney) (Entered: 11/10/2021)
11/10/2021	14	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PENGUIN RANDOM HOUSE, LLC (Dyer, Courtney) (Entered: 11/10/2021)
11/10/2021	15	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Daniel M. Petrocelli, Filing fee \$ 100, receipt number ADCDC-8859940. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Daniel M. Petrocelli, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/10/2021)
11/10/2021	16	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- M. Randall Oppenheimer, Filing fee \$ 100, receipt number ADCDC-8859945. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of M. Randall Oppenheimer, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/10/2021)
11/10/2021	17	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Andrew J. Frackman, Filing fee \$ 100, receipt number ADCDC-8859956. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Andrew J. Frackman, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/10/2021)

11/10/2021	18	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Julia Schiller, Filing fee \$ 100, receipt number ADCDC-8859959. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Julia Schiller, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/10/2021)
11/12/2021	19	NOTICE of Appearance by Sarah Heideman Licht on behalf of UNITED STATES OF AMERICA (Licht, Sarah) (Entered: 11/12/2021)
11/12/2021	20	NOTICE of Appearance by Jessica Leal on behalf of UNITED STATES OF AMERICA (Leal, Jessica) (Entered: 11/12/2021)
11/12/2021	21	NOTICE of Appearance by Bennett Jorg Matelson on behalf of UNITED STATES OF AMERICA (Matelson, Bennett) (Entered: 11/12/2021)
11/12/2021	22	NOTICE of Appearance by Jeffrey Grant Vernon on behalf of UNITED STATES OF AMERICA (Vernon, Jeffrey) (Entered: 11/12/2021)
11/12/2021		MINUTE ORDER granting 15 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Daniel M. Petrocelli is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/12/21. (l caa) (Entered: 11/12/2021)
11/12/2021		MINUTE ORDER granting 16 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that M. Randall Oppenheimer is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/12/21. (lcaa) (Entered: 11/12/2021)
11/12/2021		MINUTE ORDER granting 17 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Andrew J. Frackman is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/12/21. (lca a) (Entered: 11/12/2021)
11/12/2021		MINUTE ORDER granting 18 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Julia Schiller is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/12/21. (lcaa) (Entered: 11/12/2021)
11/12/2021	23	NOTICE of Appearance by Daniel M. Petrocelli on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Petrocelli, Daniel) (Entered: 11/12/2021)
11/12/2021	24	NOTICE of Appearance by Andrew J. Frackman on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Frackman, Andrew) (Entered: 11/12/2021)
11/12/2021	25	NOTICE of Appearance by M. Randall Oppenheimer on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Oppenheimer, M.) (Entered: 11/12/2021)
11/15/2021	26	NOTICE of Appearance by Julia Schiller on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Schiller, Julia) (Entered: 11/15/2021)
11/16/2021	27	NOTICE of Appearance by Rachel E. Mossman on behalf of SIMON & SCHUSTER, INC., VIACOMCBS INC. (Mossman, Rachel) (Entered: 11/16/2021)
11/16/2021	28	NOTICE of Appearance by Jonathan D. Hacker on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Hacker, Jonathan) (Entered: 11/16/2021)
11/16/2021	29	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Scott M. Voelz, Filing fee \$ 100, receipt number ADCDC-8870933. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Scott M. Voelz, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/16/2021)
11/16/2021	30	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Abby F. Rudzin, Filing fee \$ 100, receipt number ADCDC-8870941. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Abby F. Rudzin, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/16/2021)

11/16/2021	31	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Christopher W. Hunt, Filing fee \$ 100, receipt number ADCDC-8870948. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Christopher W. Hunt, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/16/2021)
11/16/2021	32	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Eamonn W. Campbell, Filing fee \$ 100, receipt number ADCDC-8870956. Fee Status: Fee Paid. by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC. (Attachments: # 1 Declaration of Eamonn W. Campbell, # 2 Proposed Order)(Dyer, Courtney) (Entered: 11/16/2021)
11/16/2021	33	Joint MOTION for Protective Order by UNITED STATES OF AMERICA. (Attachments: # 1 Exhibit Stipulated Protective Order, # 2 Text of Proposed Order)(Read, John) (Entered: 11/16/2021)
11/17/2021	34	WAIVER OF SERVICE. BERTELSMANN SE & CO. KGAA waiver sent on 11/4/2021, answer due 1/3/2022. (Licht, Sarah) (Entered: 11/17/2021)
11/17/2021	35	WAIVER OF SERVICE. PENGUIN RANDOM HOUSE, LLC waiver sent on 11/4/2021, answer due 1/3/2022. (Licht, Sarah) (Entered: 11/17/2021)
11/17/2021	36	WAIVER OF SERVICE. VIACOMCBS INC. waiver sent on 11/4/2021, answer due 1/3/2022. (Licht, Sarah) (Entered: 11/17/2021)
11/17/2021	37	WAIVER OF SERVICE. SIMON & SCHUSTER, INC. waiver sent on 11/4/2021, answer due 1/3/2022. (Licht, Sarah) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER granting 29 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Scott M. Voelz is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/17/2021. (lcaa) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER granting 30 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Abby F. Rudzin is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/17/21. (lcaa) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER granting 31 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Christopher W. Hunt is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/17/21. (lcaa) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER granting 32 MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Eamonn W. Campbell is admitted pro hac vice in this matter as counsel for Defendants Bertelsmann SE & Co. KGaA and Penguin Random House LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Florence Y. Pan on 11/17/21. (lcaa) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER granting 33 Joint Motion for Protective Order. Signed by Judge Florence Y. Pan on 11/17/21. (lcaa) (Entered: 11/17/2021)
11/17/2021	38	STIPULATED PROTECTIVE ORDER. Signed by Judge Florence Y. Pan on 11/17/21. (lcaa) (Entered: 11/17/2021)
11/18/2021	39	NOTICE of Appearance by Scott Voelz on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Voelz, Scott) (Entered: 11/18/2021)
11/18/2021	40	NOTICE of Appearance by Abby Rudzin on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Rudzin, Abby) (Entered: 11/18/2021)
11/18/2021	41	NOTICE of Appearance by Christopher Hunt on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Hunt, Christopher) (Entered: 11/18/2021)
11/18/2021	42	NOTICE of Appearance by Eamonn Campbell on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Campbell, Eamonn) (Entered: 11/18/2021)
12/03/2021		NOTICE of Hearing: Status Conference set for 12/14/2021 at 2:00 PM via Zoom before Judge Florence Y. Pan. (zacr) (Entered: 12/03/2021)
12/06/2021	43	NOTICE of Appearance by Jason C. Ewart on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Ewart, Jason) (Entered: 12/06/2021)

12/06/2021	44	NOTICE of Appearance by Deborah L Feinstein on behalf of BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC (Feinstein, Deborah) (Entered: 12/06/2021)
12/07/2021	45	NOTICE of Appearance by Michael Mitchell on behalf of SIMON & SCHUSTER, INC., VIACOMCBS INC. (Mitchell, Michael) (Entered: 12/07/2021)
12/08/2021	46	Joint MOTION for Scheduling Order by UNITED STATES OF AMERICA. (Attachments: # 1 Text of Proposed Order Joint Proposed Scheduling and Case Management Order)(Read, John) (Entered: 12/08/2021)
12/09/2021	47	NOTICE of Appearance by Collier Taylor Kelley on behalf of UNITED STATES OF AMERICA (Kelley, Collier) (Entered: 12/09/2021)
12/09/2021	48	NOTICE of Appearance by Ethan Dean Stevenson on behalf of UNITED STATES OF AMERICA (Stevenson, Ethan) (Entered: 12/09/2021)
12/09/2021	49	NOTICE of Appearance by Ihan Kim on behalf of UNITED STATES OF AMERICA (Kim, Ihan) (Entered: 12/09/2021)
12/09/2021	50	NOTICE of Appearance by Jonathan Scott Goldsmith on behalf of UNITED STATES OF AMERICA (Goldsmith, Jonathan) (Entered: 12/09/2021)
12/09/2021	51	NOTICE of Appearance by January Kim on behalf of UNITED STATES OF AMERICA (Kim, January) (Entered: 12/09/2021)
12/13/2021	52	ANSWER to Complaint by BERTELSMANN SE & CO. KGAA, PENGUIN RANDOM HOUSE, LLC, SIMON & SCHUSTER, INC., VIACOMCBS INC..(Petrocelli, Daniel) (Entered: 12/13/2021)
12/14/2021		Minute Entry for proceedings held before Judge Florence Y. Pan: Status Conference held via videoconference on 12/14/2021. Parties discussed the Proposed Scheduling Order and trial details. Scheduling Order forthcoming from Chambers. Next Status Conference set for 2/10/2022 at 2:00 PM via videoconference before Judge Florence Y. Pan. (Court Reporter Cathryn Jones.) (zacr) (Entered: 12/14/2021)