

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

DRAFTKINGS, INC. and  
FANDUEL LIMITED,

Defendants.

Civil Action No. 17-cv-01195 (KBJ)

**Stipulation and Order**

WHEREAS, Plaintiffs, the Federal Trade Commission (the "Commission"), the State of California, and the District of Columbia, filed their Complaint in this matter on June 19, 2017, seeking, among other relief, a temporary restraining order and preliminary injunction enjoining the proposed merger between DraftKings, Inc. and FanDuel Limited (the "Proposed Merger"); and

WHEREAS, absent this Stipulation, Defendant DraftKings, Inc. and Defendant FanDuel Limited would be free to consummate the Proposed Merger after 11:59 PM on June 20, 2017; and

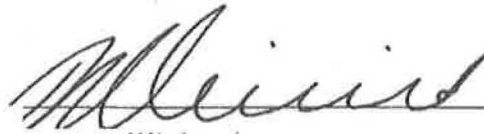
WHEREAS, the parties have agreed that Defendants will not consummate the proposed merger until after 11:59 PM Eastern Time on the fifth business day after the Court rules on Plaintiffs' motion for a preliminary injunction, pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AMONG THE PARTIES:

1. DraftKings, Inc. and FanDuel Limited shall not consummate the Proposed Merger or otherwise effect a combination of DraftKings, Inc. and FanDuel Limited, until after 11:59 PM Eastern Time on the fifth business days after the Court rules on Plaintiffs' motion for a preliminary injunction, pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b); and
2. In connection with the paragraph immediately above, DraftKings, Inc. and FanDuel Limited shall take any and all necessary steps to prevent any of their officers, directors, domestic or foreign agents, divisions, subsidiaries, affiliates, partnerships, or joint ventures from consummating, directly or indirectly, any such merger, or otherwise effecting any combination between DraftKings, Inc. and FanDuel Limited; and
3. This Stipulation and Order is without any prejudice to any rights or defenses that any Defendant may have; and
4. Any party may seek to amend this Stipulation and Order at any time upon proper notice.

Dated: June 19, 2017

Respectfully submitted,



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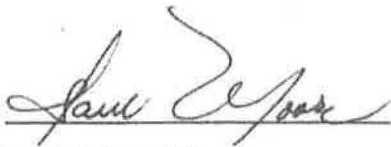
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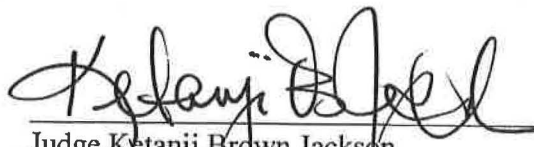


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SO ORDERED, this 20<sup>th</sup> day of June, 2017.



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Judge Ketanji Brown Jackson  
United States District Court Judge