

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION

Plaintiff,

v.

**ILLUMINA, INC., and
GRAIL, INC.,**

Defendants.

Civil Action No. ____-cv-____

[PROPOSED] TEMPORARY RESTRAINING ORDER

Whereas Plaintiff, the Federal Trade Commission (the “Commission”), filed its Complaint in this matter on March 30, 2021, seeking, among other relief, a preliminary injunction and temporary restraining order enjoining Defendant Illumina, Inc. (“Illumina”) from consummating its proposed acquisition of GRAIL, Inc. (“GRAIL”), (the “Proposed Transaction”);

Whereas, in the absence of temporary relief, Defendants would be able to consummate the Proposed Transaction after 11:59 p.m. Eastern Time on March 31, 2021; and

Whereas the parties have agreed that Defendants will not close the Proposed Transaction until the earlier of September 20, 2021 or after 11:59 PM Eastern Time on the second (2nd) business day after the Court rules on Plaintiff’s 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

ORDERED that Illumina and GRAIL shall not close this transaction until the earliest of (a) 12:01AM Eastern Time on September 20, 2021; (b) 11:59PM Eastern Time on the second (2nd) business day after the Court rules on Plaintiff's motion for a preliminary injunction pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b); or (c) immediately upon dismissal of this action by the Commission; and it is further,

ORDERED that in connection with the paragraph immediately above, Illumina and GRAIL 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, the Proposed Transaction.

SO ORDERED:

Dated:

United States District Court Judge

NAMES OF PERSONS TO BE SERVED

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