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11 **UNITED STATES DISTRICT COURT**  
 12 **SOUTHERN DISTRICT OF CALIFORNIA**

14 FEDERAL TRADE COMMISSION,  
 15  
 16 Plaintiff,  
 17 v.  
 18 ILLUMINA, INC. and GRAIL, INC.,  
 19 Defendants.

Case No.: 3:21-cv-00800-CAB-BGS

**PLAINTIFF’S *EX PARTE***  
**APPLICATION TO DISMISS**  
**THE COMPLAINT WITHOUT**  
**PREJUDICE**

Judge: Hon. Cathy Ann Bencivengo  
 Magistrate: Hon. Bernard G. Skomal  
 Courtroom: 15A  
 Hearing Date:



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<b>INDEX OF EXHIBITS</b>	
<b>Exhibit Number</b>	<b>Description</b>
1	European Commission Merger Case – Illumina/Grail
2	Docket entry for appeal to the European General Court
3	April 22, 2021, email from Susan Musser to Defendants’ Counsel re: Illumina/GRAIL   European Commission's Investigation
4	May 18, 2021 email from Susan Musser to Defendants’ Counsel re: Illumina/GRAIL   M&C
5	Excerpt of Tronox Limited/Cristal USA (Dkt. 9377) Pretrial Conference (Dec. 20, 2017)
6	Letter from FTC and Defendants’ Counsel to Chief Judge Sabraw and Mr. Morrill re: F.T.C. v. Illumina Inc. et al., No. 1:21-cv-00873-RC (Apr. 20, 2021)
7	In re Illumina/Grail (Dkt. 9401) Scheduling Order (Apr. 26, 2021)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 21, 2021, I served the foregoing on the following counsel via electronic mail and the Court’s CM/ECF system:

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