

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Plaintiff,

BIGLARI HOLDING INC.

Defendant.

UNITED STATES EXPLANATION OF
PROCEDURAL ACTION

The United States submits this explanation of its motion for summary judgment under the Federal Rules of Civil Procedure and Penalties Act, 18 U.S.C. § 1601, in support of its motion for summary judgment. The Court's review of the stipulation and Order (

United States has withdrawn its consent to entry of the Final Judgment, as permitted by Paragraph 2 of the Stipulation and Order.

If the United States asks the Court to enter the proposed Final Judgment after compliance with the Tunney Act, the Court may enter the Final Judgment without a hearing if the Court concludes that the Final Judgment is in the public interest.

Dated December 22, 2021

Respectfully,

/s/ Kenneth
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