

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

COMMISSIONERS: Lina M. Khan, Chair
Rebecca Kelly Slaughter
Alvaro M. Bedoya

Docket No. 9412

COMPLAINT COUNSEL'S MEMORANDUM OPPOSING RESPONDENTS' MOTION
TO MODIFY ORDER SETTING HEARING DATE

Complaint Counsel hereby submits under Rule 3.22 its opposition to Respondents' Motion to Modify Order Setting Hearing Date, filed on November 16, 2023 ("Motion"). Good cause does not presently exist to change the hearing date set in the Commission's Order Returning Matter to Adjudication, issued on September 26, 2023. 16 C.F.R. § 3.41. Respondents' sole concern involves a hypothetical timeline that could potentially create a scheduling conflict for Microsoft's lead counsel. At this time, it is unclear

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consummated their transaction and begun integrating Activision's assets. Microsoft's refusal to hold separate Activision's assets makes an expeditious hearing even more important to ensure the Commission can order effective relief if necessary.

For these reasons, the Commission should deny Respondents' Motion.

Dated:

Counsel for Microsoft Corporation

Counsel for Activision Blizzard Inc.

s/ James H. Weingarten

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