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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**INTERCONTINENTAL
EXCHANGE, INC.**

and

BLACK KNIGHT, INC.,

Defendants.

Case No. 3:23-cv-01710-AMO

**JOINT STIPULATION FOR DISMISSAL
WITHOUT PREJUDICE**

1 In light of the significant progress the parties have made toward a potential resolution of
2 the administrative proceeding, and pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil
3 Procedure, Plaintiff Federal Trade Commission and Defendants Intercontinental Exchange, Inc.
4 and Black Knight, Inc. hereby voluntarily and jointly stipulate to the dismissal of this action
5 without prejudice. The parties understand and agree that the filing of this joint stipulation
6 dismissing this action effectuates the dissolution of the temporary restraining order entered in
7 this action on April 21, 2023 (ECF No. 39). Further, the parties have entered into an agreement
8 (the "Timing Agreement") whereby Defendants shall refrain from closing their transaction
9 before 11:59 p.m. EDT on the tenth calendar day after Defendants sign an Agreement Containing
10 Consent Orders ("ACCO") for submission to the Federal Trade Commission. The Timing
11 Agreement provides certain deadlines and milestones for a mutually acceptable ACCO by
12 August 25, 2023; if the parties do not sign an ACCO by that time (subject to extension in certain
13 circumstances), any party may unilaterally terminate the Timing Agreement with three (3)
14 calendar days written notice to all other parties.

15 The parties will each bear their own costs, expenses, and attorneys' fees incurred in this
16 litigation.

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19 SUSMAN GODFREY L.L.P.

FEDERAL TRADE COMMISSION

20 By: /s/ Kalpana Srinivasan

By: /s/ Abby L. Dennis

21 Kalpana Srinivasan

Abby L. Dennis

22 Kalpana Srinivasan, Bar No. 237460

Peter Richman

23 ksrinivasan@susmangodfrey.com

Ashley Masters

24 Michael Gervais, Bar No. 330731

Daniel Aldrich

25 mgervais@susmangodfrey.com

Laura Antonini

26 Jesse-Justin Cuevas, Bar No. 307611

Catharine Bill

27 jcuevas@susmangodfrey.com

Caitlin Cipicchio

SUSMAN GODFREY L.L.P.

Steven Couper

1900 Avenue of the Stars, Suite 1400

Janet Kim

Los Angeles, CA 90067

Christopher Lamar

28 JOINT STIPULATION FOR DISMISSAL WITHOUT PREJUDICE

CASE NO. 3:23-CV-01710-AMO

1 Telephone: (310) 789-3100
2 Facsimile: (310) 789-3150

3 Shawn L. Raymond, *pro hac vice*
4 sraymond@susmangodfrey.com
5 Alexander L. Kaplan, *pro hac vice*
6 akaplan@susmangodfrey.com
7 Adam Carlis, *pro hac vice forthcoming*
8 acarlis@susmangodfrey.com
9 Michael C. Kelso, *pro hac vice pending*
10 mkelso@susmangodfrey.com
11 Abigail Noebels, *pro hac vice*
12 anoebels@susmangodfrey.com
13 Alejandra C. Salinas, *pro hac vice*
14 forthcoming
15 asalinas@susmangodfrey.com
16 Krisina Zuñiga, *pro hac vice*
17 kzuniga@susmangodfrey.com
18 SUSMAN GODFREY L.L.P.
19 1000 Louisiana, Suite 5100
20 Houston, TX 77002-5096
21 Telephone: (713) 651-9366
22 Facsimile: (713) 654-6666

23 Michelle Park Chiu, Bar No. 248421
24 michelle.chiu@morganlewis.com
25 Minna Lo Naranjo, Bar No. 259005
26 minna.naranjo@morganlewis.com
27 MORGAN, LEWIS & BOCKIUS LLP
28 One Market, Spear Street Tower
San Francisco, CA 94105-1596
Telephone: (415) 442-1000
Facsimile: (415) 442-1001

J. Clayton Everett Jr., *pro hac vice*
clay.everett@morganlewis.com
Ryan M. Kantor, *pro hac vice*
ryan.kantor@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004-2541
Telephone: (202) 739-3000
Facsimile: (202) 739-3001

John C. Dodds, *pro hac vice*
john.dodds@morganlewis.com

Susan Musser
Neal Perlman
Lauren Sillman
Nicolas Stebinger
Nina Thanawala
Taylor Weaver

FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580
Telephone: (202) 326-2381

*Attorneys for Plaintiff Federal Trade
Commission*

KEKER, VAN NEST & PETERS LLP

By: R. James Slaughter

R. James Slaughter

Elliot R. Peters
epeters@keker.com
R. James Slaughter
rslaughter@keker.com
Khari J. Tillery
ktillery@keker.com

KEKER, VAN NEST & PETERS LLP
633 Battery Street
San Francisco, CA 94111-1809
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

Jonathan M. Moses, *pro hac vice*
Adam L. Goodman, *pro hac vice*
WACHTELL, LIPTON,
ROSEN&KATZ
51 West 52nd Street
New York, NY 10019
(212) 403-1361

1 Zachary M. Johns, *pro hac vice*
2 zachary.johns@morganlewis.com
3 MORGAN, LEWIS & BOCKIUS LLP
4 1701 Market Street
5 Philadelphia, PA 19103-2921
6 Telephone: (215) 963-5000
7 Facsimile: (212) 309-6001

jmmoses@WLRK.com
algoodman@WLRK.com

*Attorneys for Defendant
Black Knight, Inc.*

*Attorneys for Defendant
Intercontinental Exchange, Inc.*

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FILER’S ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

I, Abby L. Dennis, am the ECF User whose ID and password are being used to file the foregoing. In compliance with Civil Local Rule 5-1(h)(3), I attest that the other signatories concurred in this filing, and I shall maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

Dated: August 7, 2023

/s/ Abby L. Dennis

Abby L. Dennis