

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

**Microsoft Corp.,
a corporation, and**

**Activision Blizzard, Inc.,
a corporation,**

Respondents.

DOCKET NO. 9412

**AGREED MOTION OF NON-PARTY SONY INTERACTIVE ENTERTAINMENT
LLC FOR EXTENSION OF TIME TO MOVE TO LIMIT OR QUASH OR
OTHERWISE RESPOND TO SUBPOENA**

Non-party Sony Interactive Entertainment LLC (“SIE”) hereby moves for a two-week extension of time to February 15, 2023, to move to limit or quash or otherwise respond to the subpoena served on SIE by the United States of America Federal Trade Commission (“Complaint Counsel”) on January 20, 2023 (the “Subpoena”). Complaint Counsel agrees with the relief requested in this motion.

Complaint Counsel served SIE with the Subpoena on January 20, 2023, with a production date of February 10, 2023. Pursuant to 16 C.F.R. § 3.34(c), SIE must move to limit or quash the Subpoena within ten days of the date of service. Therefore, the current deadline for SIE to move to limit or quash the Subpoena is February 1, 2023.

Negotiations between SIE and Complaint Counsel as to the scope of SIE’s production and a discovery schedule are ongoing. SIE requests an extension of the deadline for SIE to move to limit or quash or otherwise respond to the Subpoena pursuant to 16 C.F.R. § 3.34(c) so that

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SIE and Complaint Counsel can continue to negotiate and thereby eliminate or narrow any issues that need to be presented to the Court for resolution.

Pursuant to the January 4, 2023 Scheduling Order, Complaint Counsel has until April 7, 2023, to complete fact discovery, and, therefore, SIE does not believe the requested extension of two weeks will delay the progress of these proceedings.

Through correspondence with Complaint Counsel, SIE understands that Complaint Counsel agrees with the relief requested in this motion.

WHEREFORE, for good cause shown, SIE respectfully requests that Your Honor grant the requested relief pursuant to 16 C.F.R. § 4.3(b).

Dated: January 31, 2023

Respectfully submitted,

/s/ Isabel Tuz

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In the Matter of

**Microsoft Corp.,
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DOCKET NO. 9412

**[PROPOSED] ORDER GRANTING AGREED MOTION FOR EXTENSION OF TIME
TO MOVE TO LIMIT OR QUASH OR OTHERWISE RESPOND TO SUBPOENA**

On January 31, 2023, non-party Sony Interactive Entertainment LLC (“SIE”) filed an Agreed Motion for Extension of Time to Move to Limit or Quash or Otherwise Respond to a subpoena (“Motion”) served by the United States of America Federal Trade Commission (“Complaint Counsel”) on January 20, 2023.

Under FTC Rule of Practice 3.34(c), any motion to limit or quash a subpoena must be filed within the earlier of ten days of service of the subpoena or the time for compliance therewith. SIE states that it seeks an extension of time in order to continue its negotiations with Complaint Counsel regarding the subpoena, thereby narrowing potential discovery disputes.

FTC Rule 4.3(b) authorizes the Administrative Law Judge, except in circumstances not here presented, to extend any time limit prescribed by the rules “[f]or good cause shown.” 16 C.F.R. § 4.3(b). Based on the representation in the Motion, SIE has demonstrated good cause for the requested extension. Accordingly, the Motion is GRANTED and it is hereby ORDERED that SIE’s deadline for filing any motion to limit or quash or otherwise respond to the subpoena pursuant to Rule 3.34(c) is extended to February 15, 2023.

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ORDERED:

Date: February [], 2023

D. Michael Chappell
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2023, I filed the foregoing document electronically using the Federal Trade Commission's e-filing system, which will send notification of such filing to:

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The Honorable D. Michael Chappell
Administrative Law Judge
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I also certify that I caused the foregoing document to be served via email to:

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